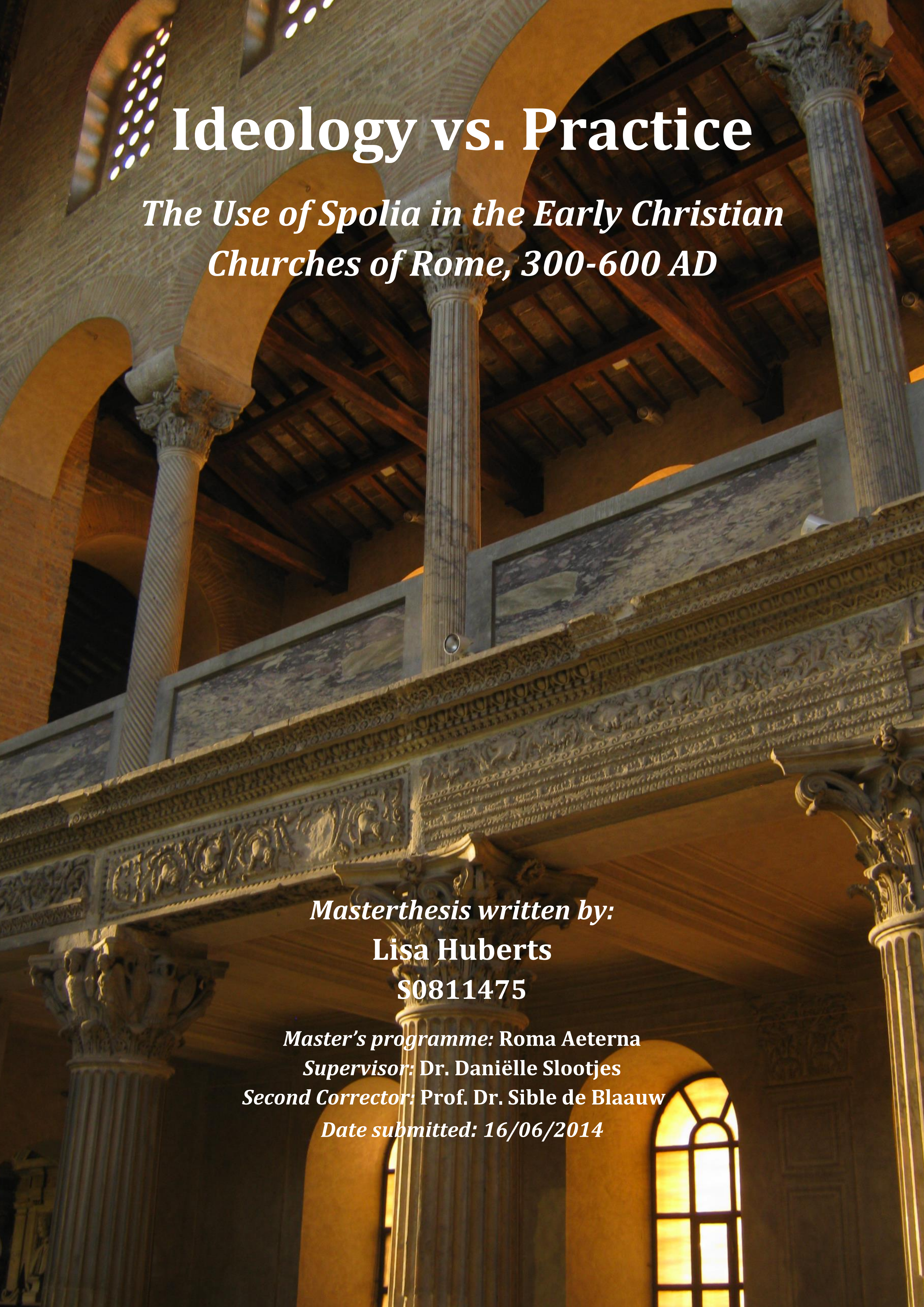


Ideology vs. Practice

The Use of Spolia in the Early Christian Churches of Rome, 300-600 AD

Masterthesis written by:

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Master's programme: Roma Aeterna

Supervisor: Dr. Daniëlle Slootjes

Second Corrector: Prof. Dr. Sible de Blaauw

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"Moreover in order to build churches in the Christian manner, [religion] not only destroyed the most honoured temples of the idols, but to ennoble and adorn St. Peter's it despoiled the monument of Hadrian of its stone columns (…) and likewise the Baths of Caracalla of its columns and stones and revetments for St. Paul's, and the Baths of Diocletian and of Titus to make S. Maria Maggiore, causing the utmost damage and ruin of those divine structures, which we see today broken and destroyed."

~ Giorgio Vasari, 'Proemio delle Vite'.[1]

[1] Translation in: D. Kinney, 'Rape or Restitution of the Past? Interpreting *Spolia*', in: Scott, S. C., *The Art of Interpreting* (Philadelphia 1995) 54.

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Contents

Introduction

> "And of this [decline] clear witness is given by the works of sculpture and architecture made in the time of Constantine in Rome, and especially the triumphal arch (…) where one sees that, for want of good master craftsmen, they used not only some marble histories made in the time of Trajan, but also spolia brought from various sites to Rome."
>
> ~ Giorgio Vasari, 'Proemio delle Vite'.[2]

Today, what is usually meant by scholars when using the term *spolia* are the reused remains of earlier Roman imperial monuments, one of the most striking and widespread features of the Late Antique cityscape.[3] *Spolia* refers to the material that is a result of the act of *spoliatio*, the stripping of material from another building. *Spolia* material is always the result of destruction, be it by man, nature or time. Only man, however, practices *spoliatio*.[4] In the strictest sense, *spolia* are the result of demolishing or plundering older structures for the specific purpose of obtaining building materials. The term *spolia*, however, is not always used with such a strict definition in modern literature; which generally uses the term to describe reused, architectural elements.[5]

The idea of *spolia* as reused material is an entirely modern concept, based on the Latin word *spolium*, which means 'removed hide of an animal', or more generally 'spoils of war'. The modern concept refers to the reuse of architectural material that has been stripped from a demolished building; comparable to an animal that has been stripped of its hide.[6] Creating new uses for materials preserves these materials for later times. These elements were not always picked up from the nearest ruin, but sometimes came from great distances.[7] The modern concept is a characteristically Late Antique practice, which cannot be traced before the third century and was first used more extensively by Constantine the Great.[8]

Flavius Valerius Aurelius Constantinus, better known as emperor Constantine I the Great (306-337), came to power in Rome at the beginning of the fourth century, becoming Augustus of the West after defeating Maxentius at the Milvian Bridge in 312. With the Edict of Milan in 313, allowing freedom of religion, he continued on in the line of emperor Galerius' edict of 311, that pleaded for a tolerance

[2] Translation in: D. Kinney, 'Rape or Restitution' (1995) 55.
[3] J. Alchermes, 'Spolia in Roman Cities of the Late Empire: Legislative Rationales and Architectural Reuse', in: *Dumbarton Oaks Papers,* Vol. 48 (1994) 167.
[4] D. Kinney, 'Rape or Restitution' (1995) 58.
[5] Deichmann, *Die Spolien in der Spätantiken Architectur* (Munich 1975) 3-5; and D. Kinney, 'Edilizia di culto Cristiano a Roma e in Italia central dalla metà del IV al VII secolo', in: S. de Blaauw, *Storia dell'architettura Italiana da Costantino a Carlo Magno* (Milan 2010) 62.
[6] B. Brenk, 'Spolia from Constantine to Charlemagne', in: *Dumbarton Oaks Papers,* Vol. 41 (1987) 103.
[7] A. Esch, A., 'On the Reuse of Antiquity: The Perspectives of the Archaeologist and of the Historian', in: R. Brilliant and D. Kinney (ed.), *Reuse value: Spolia and appropriation in art and architecture from Constantine to Sherrie Levine* (Farnham 2011) 15.
[8] D. Kinney, 'Rape or Restitution' (1995) 54.

of Christianity. This put an end to the persecutions of Christians and allowed Christianity to grow throughout the fourth century; culminating in the edict *Cunctos Populos* of 380 AD, in which Theodosius and his fellow emperors proclaimed Christianity the new state religion. [9]

It is important to realise that the adaptation to Christianity was a slow one. Constantine himself was extremely ambiguous when it came to proclaiming his faith. It is not until the end of the fourth century that the pagan cult was officially put to an end, cult activities were prohibited in the temples, and idols were removed from these temples. Although they were no longer used for cult activities, the ancient temples were still appreciated for aesthetic values and their architectural design, which is why, for a long time, the destruction of any public building, including temples, was prohibited, as long as the pagan cults were no longer practiced in them.[10] This attitude can be seen clearly in a law in the *Codex Theodosianus* that was decreed in 382 by the emperors Gratian, Valentinian and Theodosius:

> By the authority of the Public Council We decree that the temple shall continually be open that was formerly dedicated to the assemblage of throngs of people and now also is for the common use of the people, and in which images are reported to have been placed which must be measured by the value of their art rather than by their divinity; (…) you shall permit the temple to be open, but in such a way that the performance of sacrifices forbidden therein may not be supposed to be permitted under the pretext of such access to the temple.[11]

Constantine started an extensive building program that included Rome's first Christian Churches, for which he used an already existing building type: the basilica.[12] These basilicas were simple to build and allowed for many variations.[13] Some scholars state that by using the basilica as the main building type for churches, Constantine made sure that these churches did not deviate too much from the ancient Roman buildings – that is; on the outside.[14] Although the first major uses of *spolia* in Late Antique architecture were not of a Christian nature, starting with the building activity during the reign of Constantine it became a practice that was increasingly applied to the building of churches. However, it must be noted that it never seems to have become a practice that is applied exclusively to the construction of churches.

There was as much ambiguity surrounding the use of *spolia* in the Late Antique world as there is today within the scientific debate. The Late Antique attitudes towards reuse do not always seem to line up,

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[9] R. Krautheimer, *Rome: Profile of a City, 312-1308* (Princeton 2000) 3, 20-21.
[10] H. Saradi-Mendelovici, 'Christian Attitudes toward Pagan Monuments in Late Antiquity and their Legacy in Later Byzantine Centuries', in: *Dumbarton Oaks Papers,* Vol. 44 (1990) 51; and L. Bosman, *The Power of Tradition: spolia in the architecture of St. Peter's in the Vatican* (Hilversum 2004) 11.
[11] *Codex Theodosianus,* XVI.10.8, translation in: Clyde Pharr, *The Theodosian Code and Novels and the Sirmondian Constitutions – a Translation with Commentary, Glossary and Bibliography* (Princeton 1952) 473.
[12] R. L. P., Milburn, *Early Christian art and architecture* (1988) 94-95.
[13] L. Bosman, *The Power of Tradition* (2004) 27.
[14] R. Krautheimer, *Rome: Profile* (2000) 21-31.

showing that the Christian attitudes towards the reuse of 'pagan' materials varied even amongst themselves.[15] While the use of *spolia* was controversial in Late Antiquity, we do see a gradual acceptance of the practice as time progresses.

This brings me to the following research question:

Which developments have led to the acceptance of the use of spolia in early Christian Church buildings in Rome, 300-600 A.D.; and did the practice of reuse match the ideologies as they are presented in the written sources?

To help answer this question this study has been divided into three parts, which are as follows:

1. Chapter One will focus on the historical development; from the concept of *spolia opima* to the reuse of architectural elements in Christian churches; as well as the practical applications of *spolia* in Late Antiquity and the motives for reuse.
2. Chapter Two will focus on the primary literary sources. What do these written sources tell us about the practice of spoliation throughout the fourth, fifth and sixth centuries? Is there a development in the attitudes and ideology surrounding the use of *spolia?*
3. Finally, Chapter Three will consist of several case studies, including both churches and other types of buildings in which *spolia* material has been used; in order to see how the practical use of *spolia* compares to the ideologies and attitudes as seen in the written sources.

I have chosen to look at the period between the fourth and sixth century; based on the buildings discussed in Chapter Three; combined with the fact that the primary literature concerning the reuse of architectural materials falls within this period. The choice for Rome is based on the city's rich history of ecclesiastical architecture; it being the city where Christian churches first took shape. Some authors use the definition of *spolia* to include both the reuse of construction materials, as well as the adaptation of older buildings for new purposes, for example by turning a former temple into a church, as was done with the Pantheon in Rome.[16] For my own research purposes I have chosen to limit myself to the reuse of architectural materials in completely new buildings, and to leave out the adaptation of older buildings by giving them a new purpose. I will also limit myself to the reuse of materials that are considered to be ornamental. E.g. the elements that form a colonnade; capitals, shafts, bases and reliefs. This means that the reuse of simple bricks and such will not be of concern to this study.

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[15] R. Coates-Stephens, 'Attitudes to *Spolia* in some Late Antique Texts', in: L. Lavan and W. Bowden, *Theory and Practice in Late Antique Archaeology* (Leiden 2003) 352.
[16] A. Cameron, *The Last Pagans of Rome* (Oxford 2011) 50-51, and M. Webb, *The Churches and Catacombs of Early Christian Rome: a Comprehensive Guide* (Eastbourne 2001) 149.

The Latin word *spolia* has its negative connotations of pillage and war booty. This negative image was retained over the centuries, and even in the current usage of the word there appears to be a distaste, or at best an uneasy acceptance of the practice of spoliation amongst most of the scholars.[17] 'reused materials' might be a good alternative for the word; although I will not completely refrain from using the word *spolia*.

[17] J. Alchermes, 'Spolia in Roman Cities' (1994) 167-168.

Spolia in modern scholarship

The modern use of the word *spolia* is first seen in sixteenth-century Italian literature. *Le Vite de' più eccellenti pittori, scultori, ed architettori* of 1550 by GiorgioVasari seems to be one of the first works in which the term was used this way. Vasari sees the decline of art in Late Antiquity as a result of repeated acts of despoliation. The Christian religion is considered to be the greatest cause of this artistic demise, followed by barbarians.[18] When speaking of the Greek emperor Constans II, Vasari states the following:

> "And in this way everything that had not been ruined by the popes, and most of all by St. Gregory who, they say, banished all the remaining statues and **spolia from [Rome's] buildings**, finally ended badly in the hands of this wretched Greek." [19]

This is one of the first times the term *spolia* is used art historically, showing a change from the concept of war booty to the material resulting from purposeful demolition.[20] Attention is directed away from *spoliatio*, a term that was already used in Late Antiquity to describe the act of stripping buildings; to the material produced by this act, namely the "spoglie degli edificii", or "spolia from buildings" that Vasari speaks of.[21] *Spolia* are in this case limited to those taken from buildings. The way the term is used, however, without much further explanation, suggests that it was not an entirely new concept.

For a long time after this, the topic of *spolia* was one that was barely discussed. When it was discussed, there was a focus on the reused pieces themselves, but not on their inclusion in a new, secondary context. Humanists saw the use of *spolia* as a dismemberment that was to be damned, the Counter-Reformation Church saw it as a homage to paganism, and art historians, for a long time, saw it as a result of a lack of creativity.[22]

With the publication of *Die spätantike Bildschmuck des Konstantinbogens* by H. P. L'Orange in 1939; and 'Säule und Ordnung in der frühchristlichen Architektur' by F. W. Deichmann in 1940, the study of *spolia* entered a different, modern time. Both authors no longer treated *spolia* as archaeological pieces that needed to be reintegrated, but as a part of Medieval and Late Antique representations. They focused their interpretations on the secondary setting of these pieces, assuming that this would lead to a set of interrelations of the pieces to each other and to the whole. Deichmann developed a formal

[18] D. Kinney, 'Rape or Restitution' (1995) 54.

[19] In Italian: "E cosí tutto quello che non avevono guato ì pontefici, e San Gregorio massimamente, il quele si dice che messe in bando tutto il restante delle statue e delle spoglie degli edificiì, per le mani di questo sceleratissimo Greco finalmente capitò male." 'Proemio delle Vite', in: Vasari, *Le Vite de' più eccellenti pittori, scultori, ed architettori* (1550)*;* Translation in: D. Kinney, 'Rape or Restitution' (1995) 55.

[20] Another sixteenth-century example that mentions the term *'spoglie'* or *spolia* is a letter to pope Leo X on the condition of the Roman monuments and ruins. It is unclear exactly who wrote the letter, but Raphael, the painter, and Baldassare Castiglione, author of *Il Courtier*, have been suggested as likely candidates.

[21] D. Kinney, 'Rape or Restitution' (1995) 55.

[22] A. Esch, 'On the Reuse of Antiquity' (2011) 13.

system of correspondences, by looking at colour, size and typology; and the pairing of elements. He saw the use of *spolia* as an innovation that was thoroughly unclassical. L'Orange came up with a programmatic and ideological interpretation for the use of *spolia*, based on the fact that the imperial portraits in the *spolia* reliefs of the Arch of Constantine had all been recut. L'Orange's theory is something built on by later scholars. According to L'Orange, *spolia* must be seen as products of at least two different artistic moments, as well as different intentions.[23]

Since the 1950s modern research into *spolia* has gained momentum; and from the 1980s onwards this field of research has grown even faster. At first the focus was mainly on the reuse of architectural elements in the late antique and early Christian architecture, as well as the connection between using *spolia* and the imitations (and reuse) of antiquity during the High Middle Ages. Subsequently, however, numerous case studies were used to look at the choices and motives behind the reuse of materials, and ideological, liturgical and legal questions became a focal point. The geographical and chronological boundaries were stretched beyond the Western Roman empire and Late Antiquity.[24]

In his 1975 monograph on reuse and Late Antique architecture; *Die Spolien in der spätantiken Architektur*, F. W. Deichmann emphasises the negative factors of spoliation; claiming economic decline was the cause of the use of *spolia*. Other authors; however, have looked at the aesthetic, ideological and economic aspects.[25] In his book, *From classical antiquity to the Middle Ages* (1984), Brian Ward-Perkins, for example, claims that the monuments of Italy's towns and cities were gradually transformed, by adapting the monument's function; absorbed, through spoliation; or allowed to fall apart, as a result of decay through time. [26]

In *The survival of Roman Antiquities in the Middle Ages* Michael Greenhalgh explains that antique buildings in the west only survived by adopting a different function than the one that was originally intended.[27] He explains that the Romans had a great interest in decorating their cities and monuments; and chose to restore or preserve older monuments that evoked their own past. This respect for the past and the need for decoration often clashed, due to a need for building materials, especially in centuries of decline. He claims that Romans only protected monuments from destruction and spoliation when the culture they represented seemed preferable to their own abilities at that time. It was simply easier to reuse stone and brick from disused buildings than to quarry or bake it yourself. According to Greenhalgh, legislation concerning the protection of these monuments must have sprung up as soon as

[23] D. Kinney, 'Rape or Restitution' (1995) 56-57.
[24] A. Esch, 'On the Reuse of Antiquity' (2011) 13.
[25] J. Alchermes, 'Spolia in Roman Cities' (1994) 168. For other authors see also: Arnold Esch (1969), Richard Krautheimer(1961) and Beat Brenk(1987).
[26] B. Ward-Perkins, *From classical antiquity to the Middle Ages* (1984) 218-219.
[27] M. Greenhalgh, *The survival of Roman Antiquities in the middle ages* (London 1989) 86.

these buildings became disused. He states that "the more often something is forbidden the commoner it tends to have been", calling these laws "a kind of mirror of contemporary attitudes". [28]

Lucilla de Lachenal's *Spolia. Uso e Reimpiego dell' antico dal III al XIV secolo* of 1995 is often described as the first modern monograph on *Spolia,* although it was soon thereafter followed by others, such as *The Eloquence of Appropriation* by Maria Fabricius Hansen (2003). De Lachenal gives a useful historical overview of the use of *spolia* materials, as well as many useful surveys of specific instances in which *spolia* were used. However, there is no annotation whatsoever, which makes it difficult to use. It also does not analyse the concept of *spolia*, nor does it explain the pre-Constantinian background of the practice; things that most of the recent studies usually incorporate.[29]

Dale Kinney does exactly that in his article '"Spolia. Damnatio" and "Renovatio Memoriae"' of 1997. He states that the fourth-century Roman viewer could not have been shocked by the reuse of older reliefs in the Arch of Constantine, considering it was not unprecedented or unique. The Arcus Novus and Arco di Portogallo were proof of this. According to Kinney; whereas Vasari and his contemporaries were somewhat horrified by the use of ancient *spolia,* this would not have been such an issue to an audience that was used to the eclecticism that Roman culture was known for.[30] Next to this, Kinney also gives an overview of the development of the practice of reuse; from the idea of military *spolia* to the sixteenth century, when Vasari wrote his *Vite;* including both material and literary sources to support his research.

When we look at the research into *spolia* of the past ten years, Robert Coates-Stephens provides us with one of the few studies that focus more directly on the primary literature surrounding the practice of reuse. His study, 'Attitudes to *Spolia* in Some Late Antique Texts' (2003), "highlights textual evidence (…) that suggests conceptual motives for using *spolia* which could not have been expressed with new material."[31] Next to looking at the development of conceptual motives behind the use of *spolia*, he also looks at the different definitions of the concept as given by ancient authors. He explains that many *spolia* in fourth- and fifth- century Rome, including those of S. Sabina, S. Stefano Rotondo and some on the Arch of Constantine, are more likely to have come from warehouses than from standing buildings.[32]

Just as Deichmann and L'Orange had done in the previous century, Paolo Liverani came up with his own classification of *spolia* material in his 2011 article 'Reading *Spolia* in Late Antiquity and Contemporary Perception'. He explains that *spolia* in the classical sense are spoils of war, taken from

[28] M. Greenhalgh, *The survival of Roman Antiquities* (1989) 11-12.
[29] L. de Lachenal; *Spolia. Uso e Reimpiego dell' antico dal III al XIV secolo* (Milan 1995).
[30] D. Kinney, '*Spolia. Damnatio.* And *Renovatio Memoriae'*, in: *Memoirs of the American Academy in Rome,* Vol. 42 (1997) 142.
[31] R. Coates-Stephens, 'Attitudes to *Spolia*' (2003) 341.
[32] Ibidem, 341.

conquered enemies; something to exhibit after the victory. Liverani calls these *spolia I.* By definition, the retain their original significance. Then there is also the definition that has been used since the Renaissance; that of *spolia* as fragments reused in a secondary context that is different than its original context. Liverani calls these *spolia II.* To this classification he adds the idea of *metaphorical spolia*, meaning "cases in which an ancient image, motif or style has been taken up and reemployed in a later period, without a literal, material reuse".[33]

Many recent archaeological studies present the idea that a lot of the architectural elements that were previously considered to be *spolia* in the strict sense of the word, are more likely to have come from (imperial) warehouses and depots, rather than from standing buildings that were stripped specifically for the purpose of reusing the material. If such material was readily available in depots and marble warehouses, and did not come directly from a despoiled building, it becomes much more difficult to attach any kind of ideological significance to the reuse of these materials.[34] This does not always mean the material was not stripped from buildings before being stored in warehouses, however.

Hugo Brandenburg, for example, states in his 2011 article, titled 'The Use of Older Elements in the Architecture of Fourth- and Fifth-Century Rome: A Contribution to the Evaluation of *Spolia*', that the decorations of public buildings in Rome during the fourth and fifth centuries consisted of "rough, half-finished and fully finished architectural elements from various eras and places", which had all been set aside in warehouses for later use. The ornaments that were fully finished either came from building projects that were never finished, had been salvaged from damaged or ruined buildings, or they were of recent origin and had been imported from elsewhere, to be stored for future use. These materials from warehouses were not *spolia* in the strictest sense, meaning they had been acquired by destroying or plundering older structures for the specific purpose of reusing the building material. The fast increase in the use of older materials in late antiquity was definitely encouraged by a change in mentality, which caused a neglect of established traditions. On top of this, the extensive building projects of late antiquity created a high demand for architectural ornament; which could be met by tapping into the warehouse stocks. This would mean, according to Brandenburg, that an ideological explanation of this reuse is misguided.[35]

Due to the nature of reuse, it is a subject that can be approached through various disciplines, that all emphasise different aspects of the practice. Archaeologists tend to focus more on the reused material as having been removed from Antiquity; focusing on its origin, while the (historian and) art historian

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[33] P. Liverani, 'Reading *Spolia* in Late Antiquity and Contemporary Perception', in: R. Brilliant and D. Kinney (ed.), *Reuse value: Spolia and appropriation in art and architecture from Constantine to Sherrie Levine* (Farnham 2011) 45-46.

[34] R. Coates-Stephens, 'Attitudes to *Spolia*' (2003) 341.

[35] H. Brandenburg, 'The Use of Older Elements in the Architecture of Fourth- and Fifth-Century Rome: A Contribution to the Evaluation of *Spolia*', in: R. Brilliant and D. Kinney (ed.), *Reuse value: Spolia and appropriation in art and architecture from Constantine to Sherrie Levine* (Farnham 2011) 67, 69.

tend to view it more as something that was received from Antiquity, focusing more on its new context. Various perspectives are needed to create a better understanding of the practice of reuse, considering it, technically, ranges from the conversion of entire buildings to the pulverisation of marble for the production of lime.[36] This makes research into *spolia* a field in which interdisciplinary research remains essential and can give the best and most complete results. Art historians and archaeologists are responsible for initiating the research into *spolia*, and still form the majority of *spolia*-researchers today.[37] This means that, although historians *do* take part in the discussion, there is still much to be said from a historical perspective. This is an area to which I hope to contribute with my research. Most of the time in modern scholarship the primary literature becomes secondary to the archaeological and art-historical material, lacking a more in-depth analysis. By using the primary literary sources as my main focus, instead of writing from an art-historical or architectural point of view, I hope to give an overview of the literary sources, as well as a better understanding of the historical and ideological developments surrounding the practice of reuse.

36 A. Esch, 'On the Reuse of Antiquity' (2011) 14.
37 Ibidem, 20.

1. *Spolia*: development, practical use and motives

1.1 The start of a tradition: from *spolia opima* to architectural reuse

The ancient definition of *spolia* referred to 'spoils of war', or war booty of any kind; more specifically the captured arms of an enemy. The user of these kind of spoils can be understood as intending to communicate or even celebrate his triumph over an enemy, or as a way of showing legitimate succession in times of peace.[38] *Spolia* in this sense are not limited to architectural materials, but could also include weaponry, jewellery, and so on. A prime example can be found in the tradition of the *spolia opima,* the highest military honour a Roman commander could aspire to. The Roman general who had killed an enemy leader would strip the body of the defeated of its armour and attach them to an oak trunk that would be brought into the city as a trophy, to be dedicated in the shrine of Jupiter Feretrius on the Capitol.[39] These trophies were testaments to Roman greatness.[40] The word used to describe this act of 'stripping'; *spoliatio,* would still be used in later times, to describe the demolition of older buildings in order to obtain their decorative materials to be used in new buildings.

The first period during which *spolia* in the modern, scholarly sense were used extensively in public buildings is the Constantinian era. The late fourth and early fifth centuries seem to have witnessed the first large-scale reuse of old buildings and architectural materials, and as early as the fifth century, the use of *spolia* had become universal.[41] Around the turn of the century, urban monuments had suffered considerable damage from barbarian attacks and civil unrest. Antipathy between Christians and pagans seems to have taken some violent turns, often at the cost of damaging pagan religious buildings. An example of this is the destruction of the Serapeum in Alexandria, during the reign of emperor Theodosius (379-395). Christians had been publicly ridiculing sacred pagan objects; after which a riot ensued, which resulted in the destruction of the Serapeum and other pagan shrines.[42] In the late fourth century laws were passed that demanded the stripping of all cult-related materials from pagan temples.[43] Subsequently, Rome was sacked by the Goths in 410, followed by another sack of the Eternal City in 455; this time by the Vandals; both cases resulting in the damaging of many of the great buildings of the city.[44] Still, this is not the first period during which *spolia* were used.

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[38] M. Greenhalgh, '*Spolia:* A Definition in Ruins', in: R. Brilliant and D. Kinney (ed.), *Reuse value: Spolia and appropriation in art and architecture from Constantine to Sherrie Levine* (Farnham 2011) 78; and D. Kinney, 'Rape or Restitution' (1995) 53.
[39] H. I. Flower, 'The Tradition of the Spolia Opima: M. Claudius Marcellus and Augustus', in: *Classical Antiquity*, Vol. 19, No. 1 (2000) 34.
[40] S. H. Rutledge, *Ancient Rome as a museum : power, identity, and the culture of collecting* (Oxford 2012) 157.
[41] B. Brenk, 'Spolia from Constantine to Charlemagne' (1987) 103-106.
[42] A. Cameron, *The Last Pagans* (Oxford 2011) 799; and P. Brown, *The rise of Western Christendom : triumph and diversity, A.D. 200-1000* (Malden 2003) 73-74.
[43] J. Alchermes, 'Spolia in Roman Cities' (1994) 169.
[44] P. Heather, *The Fall of the Roman Empire: A New History of Rome and the Barbarians,* (Oxford 2006) 227-228; and D. Kinney, 'Edilizia di culto Cristiano' (2010) 75.

There was already a reuse of materials in Roman architecture before the fourth century, starting with the portico inside the attic of the Colosseum, which was rebuilt twice between 220-245, after having burned down. The colonnade was rebuilt with partly new and partly reused columns. It is the most important local precedent that we know of for the mixed *spolia* columns used in the fourth-century Christian basilicas of Rome.[45] The reuse of materials for completely new structures, however, seems to have started with building activity by Aurelian (270-275), Diocletian (284-305) and Maxentius (306-312), in the late third and early fourth centuries.[46] Diocletian's architects included reused reliefs in triumphal arches, such as the Arcus Novus, which was erected on the Via Lata in Rome and celebrated the emperor and his fellow tetrarchs. Enough fragments have survived to determine that several pieces used in this arch came from a Claudian of possibly Antonine monument.[47] The same goes for the so-called Arco di Portogallo; probably built even earlier; during the reign of Aurelian.[48] It incorporated second-century reliefs that were probably Hadrianic.[49] The Temple of Romulus, started by Maxentius after 307, was also decorated with reused architectural sculpture. One of the most famous early examples, however, is still the Arch of Constantine, dedicated in 315; with reused reliefs of Trajanic, Hadrianic and Aurelian origin. Some of those elements might have been stored in imperial warehouses for a while before their reuse, but others were probably taken from major public complexes, such as the Forum of Trajan, during the time of construction of the Arch.[50] It is widely considered to be the first monument in which *spolia* were used extensively for ideological reasons.[51]

It was during the reign of Constantine that the use of *spolia* material really gained momentum. Some authors even state that Constantine had a deliberate building program when it comes to the use of *spolia*. The emperor's use of reused materials in the first church foundations of Rome had a great effect on church building in later times. Constantine's Lateran basilica is not only the first Roman church ever to be built, but also one of the first sacred structures built by an emperor with an extensive use of *spolia* for its construction. Considering Constantine built the Lateran basilica on great scale, the use of *spolia* does not seem to have been caused by economic necessity.[52] This causes modern scholars to see this use of *spolia* as an important part of Constantine's overall building program. *Spolia* were not only used in churches, but in Constantinian buildings in general, supposedly for aesthetic reasons and as part of Constantine's imperial propaganda.[53] Through using *spolia* in the first basilica churches,

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45 D. Kinney, '*Spolia. Damnatio.'* (1997) 125.
46 J. Alchermes, 'Spolia in Roman Cities' (1994) 169.
47 J. Elsner, 'From the Culture of Spolia to the Cult of Relics: The Arch of Constantine and the Genesis of Late Antique Forms', in: *Papers of the British School at Rome,* Vol. 68 (2000) 153.
48 H. Brandenburg, 'The Use of Older Elements' (2011) 57. It is not completely clear who was responsible for this arch, but Aurelian seems a likely candidate.
49 J. Elsner, 'Culture of Spolia' (2000) 153.
50 J. Alchermes, 'Spolia in Roman Cities' (1994) 170.
51 H. Brandenburg, 'The Use of Older Elements' (2011) 56.
52 B. Brenk, 'Spolia from Constantine to Charlemagne' (1987) 104-105.
53 J. Elsner, 'Culture of Spolia' (2000) 152; and B. Brenk, 'Spolia from Constantine to Charlemagne' (1987) 106.

Constantine stood at the beginning of a long-lasting tradition when it comes to church building in Rome. In the centuries that followed, the use of *spolia* material would only increase. After decline set in and the Western Roman Empire ended in 476, the practice would reach new heights; as one of the most important features of Early Medieval church-building.[54]

1.2 Practical applications

An important innovative feature of Late Antique architecture was the mixture of different types of capitals and architectural orders within one row of columns.[55] The consequence of this mixture of materials was a break from, and contrast with the uniformity of classical architecture.[56] By the end of the fourth century, the variety of older architectural decoration that was typical of the great Constantinian basilicas, became a model for the church foundation of S. Paolo fuori le mura. The material produced specifically for this building, using varying architectural orders, seems to have been affected by the idea of *variatio* or *varietas* that the use of *spolia* pieces in the other church foundations had created. This idea of variety was not mandatory, however. The use of complete, homogeneous sets of columns in both S. Sabina and S. Pietro in Vincoli in the first half of the fifth century seems to suggest that although a variety of material was widely accepted, and perhaps in some cases specifically sought out, homogeneous material was still respected and appreciated when it was available. In the cases in which *spolia* material was used, pieces of varying dates and origins were used next to each other without prejudice; including both *spolia* or reused pieces as well as contemporary materials.[57] According to some modern authors, such as Hugo Brandenburg, the heterogeneity of the *spolia* we can see in some of the Late Antique buildings can be seen as a confirmation that the materials used had previously been stored in the state's marble depots.[58] Of course, these ideas are not mutually exclusive.

Another architectural change during Late Antiquity was the use of the arch as the main way to connect two columns; replacing the trabeation. This practice did not become dominant immediately. Buildings from Constantinian times and shortly afterwards often still had trabeated colonnades. Often the trabeation was created using *spolia* material, especially during Constantinian times. The portal of the Temple of Romulus has a trabeated aedicula framing the doorway. The Temple of Saturn is one of the few monumental buildings of the time with a trabeation. In the later fourth and early fifth centuries, it

[54] J. Elsner, 'Culture of Spolia' (2000) 154; and R. Coates-Stephens, 'Epigraphy as Spolia – The Reuse of Inscriptions in Early Medieval Buildings', in: *Papers of the British School at Rome,* Vol. 70 (2002) 279.
[55] M. F. Hansen, *The eloquence of appropriation : prolegomena to an understanding of spolia in early Christian Rome* (Rome 2003) 119.
[56] H. Saradi, 'The Use of Ancient Spolia in Byzantine Monuments: The Archaeological and Literary Evidence', in: *International Journal of the Classical Tradition,* Vol. 3, No. 4 (1997) 396-397; and M. F. Hansen, *The eloquence of appropriation* (2003) 135.
[57] H. Brandenburg, 'The Use of Older Elements' (2011) 64, 67.
[58] Ibidem, 60.

became increasingly rare, but was never fully replaced by the use of arcades. In the middle of the fifth century it even became popular again, as can be seen in, for example, S. Stefano Rotondo.[59]



Fig. 1. Trabeation, Temple of Romulus.



Fig. 2. Arcade, S. Sabina.

The distribution of the *spolia* materials within the new church-constructions was influenced by a certain hierarchy of material. The different architectural orders were ranked. As a result the Ionic capitals often ended up in inferior positions, closer to the entrance or even on the outside of the building, while Corinthian or Composite capitals were more often placed closer to the choir and triumphal arch. It would seem that the Composite capital was associated with triumph, and hence was placed in more important locations within the building. S. Pietro in Vincoli being the exception, the Doric order was generally avoided. The more ornate capitals could also be used to indicate an axis, or to indicate a specific sequence of columns; both of which occur mostly in circular structures, such as S. Stefano Rotondo or the Mausoleum of Constantina.[60]

Apart from the hierarchy of architectural orders, there was another organising principle, first introduced by Friedrich Wilhelm Deichmann, that was common when using *spolia* material in churches. This principle is the pairing of elements. Generally, *spolia* material was used in pairs – not pairs along the same row of a colonnade, but rather corresponding pairs across the nave; meaning the two sides of the nave would mirror each other. Of course, this only went as far as the diversity of the material would allow it.[61] Coherence of the overall material was not important when building with *spolia*, but arranging the heterogeneous materials into pairs could be seen as an attempt to bring a new kind of order to the material. There are also scholars who see the pairing of elements as an expression of the aesthetic of *variatio*.[62] Not many churches deviate from this trans-axial pairing of elements, but

[59] J. J. Herrmann, *The Ionic Capital in Late Antique Rome* (Rome 1988) 171-173.
[60] D. Kinney, 'Roman Architectural Spolia', in: *Proceedings of the American Philosophical Society,* Vol. 145, No. 2 (2001) 141-142; and M. F. Hansen, *The eloquence of appropriation* (2003) 121-122.
[61] F. W. Deichmann, 'Säule und Ordnung in der frühchristlichen Architektur', in: *Mitteilungen des Deutschen Archäologischen Instituts, Römischen Abteilung* 55 (1940) 121; and M. F. Hansen, *The eloquence of appropriation* (2003) 124.
[62] H. Brandenburg, 'The Use of Older Elements' (2011) 61.

the church of S. Clemente is one of those exceptions. The columns were arranged laterally; in pairs along one row of the colonnade.[63]

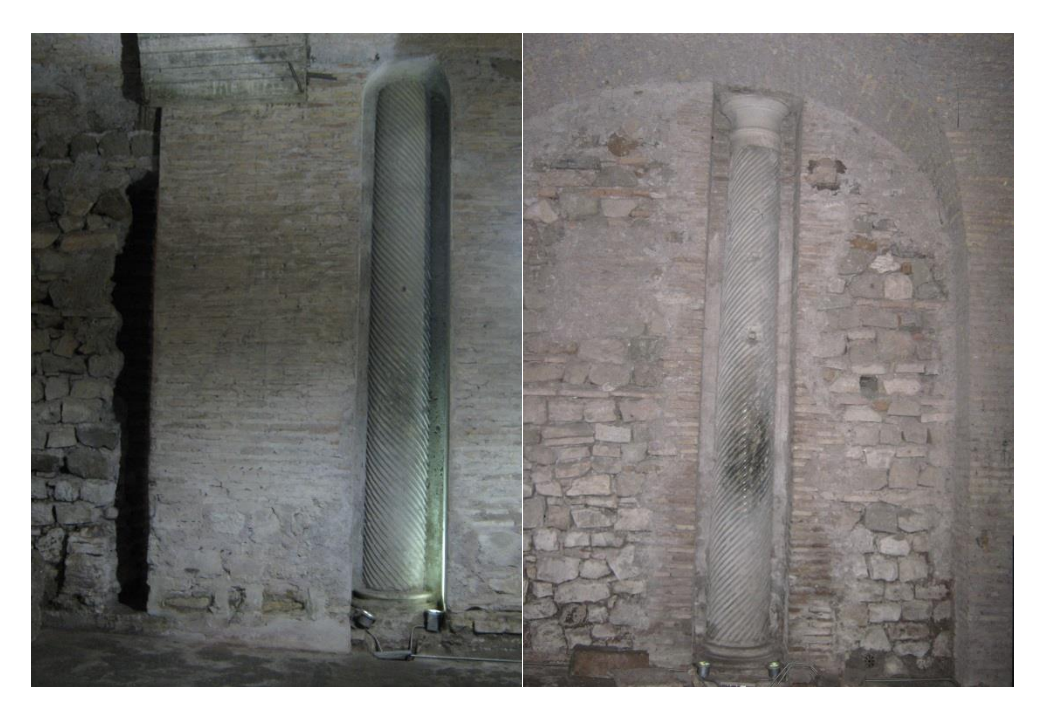


Fig. 3. (left) & Fig. 4. (right). Two fluted columns paired laterally along the left colonnade of S. Clemente. Because the colonnades between the nave and aisles were walled up after the Norman sack of Rome in the eleventh-century, the column in fig. 3 is only visible from the left aisle, while the column in fig. 4 is only visible from the nave.

The hierarchy of the material was not only created by a hierarchy of the architectural orders and a pairing of elements. It was also a matter of aesthetic preferences. The choices for *spolia* pieces were often based on an appreciation for, e.g., intricate ornaments or specific colours. An accumulation of the most ornate pieces would often be gathered in the most important part of the nave, namely surrounding the altar and closest to the triumphal arch; the most 'holy' part of the church.[64] The hierarchal distribution of *spolia* material from the entrance to the choir has been described by Maria Fabricius Hansen as a reflection of the movement of the Christian through the church, gradually approaching salvation.[65] The most ornate *spolia* pieces, placed closest to the choir, would thus come to represent this salvation. Sometimes, *spolia* material was also used to mark the liturgical use of the churches' interior space.[66] The distribution of columns, for example, could be used to divide a church into two halves, the first reserved for the laity and the second for the clergy. This could be done by using a different type or colour of columns in the different sections, for example by using porphyry

[63] M. F. Hansen, *The eloquence of appropriation* (2003) 126.
[64] Ibidem, 123,130.
[65] M. F. Hansen, 'The Use of Spolia in Early Christian and Medieval Churches: Possibilities of Interpretation', in: S. Altekamp, C. Marcks-Jacobs and P. Seiler, *Perspektiven der Spolienforschung 1 – Spoliierung und Transposition* (Berlin 2013) 91.
[66] J. J. Herrmann, *The Ionic Capital* (1988) 167.

around the altar.[67] An example of this can be seen in a poem from c. 540, describing the church of St. Stephen at Gaza:

> "(…) among the columns, the most remarkable are the four, dyed by nature with the color of imperial raiment [i.e. purple, probably made of porphyry], which define the area forbidden to those who are not members of the holy ministry."[68]

Because of the colour and the fact that it was extremely precious, considering it was extremely hard and difficult to manage; porphyry was traditionally reserved for the imperial family. In Late Antiquity, the material was taken over and used by Christians as a symbol of divinity. Although the way that architectural material was structured from the fourth century onwards had become different than that of classical buildings, it was, nonetheless, still governed by various principles.[69]

1.3 Motives

Focusing on the motives behind the reuse of materials adds to the understanding of which pieces were chosen as *spolia* and which ones were not. Motives could be political – a manifest of universal, 'roman' claims by emperors and popes. *Spolia* could be a tool for (imperial) propaganda.[70] Architectural reuse could also be seen as a way of maintaining the heritage of the Late Antique city, keeping it alive in its recomposed monuments; preserving these elements through their reuse. This is something Theodoric, the Ostrogothic king, for example, attempted to do.[71]

Of course, there could be several different motives behind the use of *spolia*, including, but not limited to, the following: triumphalism, religious appropriation or triumphalism, despoiling the dead, aesthetic conservatism, or simple admiration; although a more pragmatic, economic motive must not be discarded completely. [72] All of these, however, are modern interpretations of the practice of reuse.

The first motive, that of triumphalism, is expressed most clearly in the idea of 'spoils of war' and has its origin in the ancient meaning of the word *spolia*. Possessing another city's inanimate objects, such as its marbles, showed that one had mastered the enemy. All *spolia* can have ideological connotations, but it seems that the knowledge or beliefs of the despoiler about the source of the reused materials was the significant factor, as is the case with the motive of triumphalism. The appearance or value of the object played a much smaller role than the value that was attributed to it by the person reusing the material. Considering that most of the reused material in Late Antiquity did not come from an enemy state or city, the idea of triumphalism is not a model that applies to all *spolia*, making it a rare

[67] M. F. Hansen, 'The Use of Spolia' (2013) 91.
[68] Choricius, *Laudatio Marciani*, II.36. Translation in: M. F. Hansen, 'The Use of Spolia' (2013) 93.
[69] M. F. Hansen, *The eloquence of appropriation* (2003) 122, 135.
[70] A. Esch, 'On the Reuse of Antiquity' (2011) 22.
[71] J. Alchermes, 'Spolia in Roman Cities' (1994) 170.
[72] R. Coates-Stephens, 'Attitudes to *Spolia*' (2003) 341.

occurrence. Much more often the material came from the same city as the building these materials were transferred to, and it usually happened during a time of peace.[73] It is, however, perfectly possible that all reuse carried with it the negative connotations of 'spoils of war'. This would explain some of the negative views in much of the literature regarding the use of *spolia*. We do need to remember that *spoliatio* by definition refers to illegal removal, an abuse of the power of appropriation. [74]

A second motive is that of religious triumphalism, or religious appropriation; a reuse of materials through what is known as an *interpretatio Christiana*, or Christian interpretation.[75] Its idea is closely related to the first motive, that of triumphalism. It has come to symbolise the victory of one religion over another, instead of the victory of one state over another. Religious appropriation does not necessarily need to relate to a Christian victory over the old Roman pagan religion – in later times, the same can be seen in the building of mosques – but for the intends and purposes of this thesis we will focus on the Christian aspect. The prime examples of this type of triumphalism are the *trophaea*, insignia of a vanquished army; the classical symbolisation of 'spoils of war'; something we will see more of in the case-studies of Chapter 3. It is a symbol that was very quickly appropriated by Christians, to symbolise the victories of Christ and the martyrs.[76]

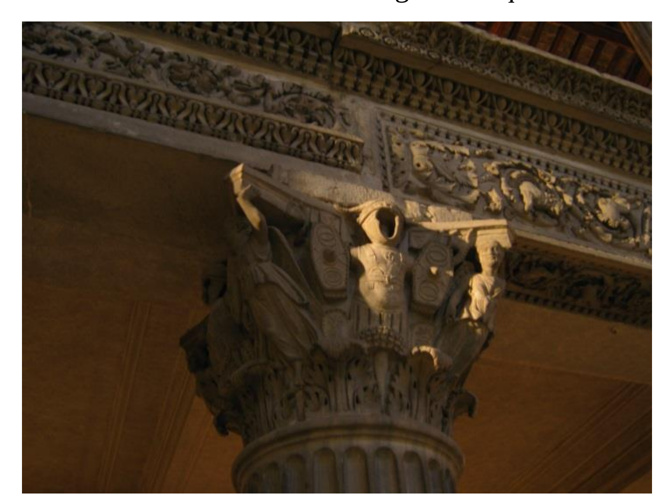


Fig. 5. Capital with *trophaea;* S. Lorenzo fuori le mura.

Another example for religious triumphalism can be found in the explanation by Mark the Deacon, of St. Porphyry's reuse of stones to pave the forecourt of the new church of Gaza, of which he was bishop:

> "(…) the rubbish that remained of the marble work of the Marneion, (…) this did the holy bishop resolve to lay down for a pavement before the temple outside in the street, that it might be trodden under foot not only of men, but also of women and dogs and swine and beasts. And this grieved the idolaters more than the burning of the temple. (…)"[77]

This reused, pagan material would thus be trampled by anyone who walked across this forecourt. So, while in the case of the Christian reuse of the *throphaea* the material is given new meaning, the

[73] R. Coates-Stephens, 'Attitudes to *Spolia*' (2003) 346-348.
[74] D. Kinney, 'Rape or Restitution' (1995) 53.
[75] A. Esch, 'On the Reuse of Antiquity' (2011) 26.
[76] R. Coates-Stephens, 'Attitudes to *Spolia*' (2003) 349.
[77] Mark the Deacon, *The Life of Saint Porphyry, Bishop of Gaza*, 76. English translation on: http://www.fordham.edu/halsall/basis/porphyry.asp Last consulted on 05/06/2014.

‘pagan’ material in the church-paving retains its old significance – thus creating a *damnatio* of the original material.[78] Arnold Esch describes it as a way to abase the reused material as a pagan object; by neutralising it.[79] Neither types of reuse with a motive of religious appropriation occur very often.

A third motive is that of despoiling the dead; meaning the desecration of tombs so that their materials could be reused for building. It apparently happened quite often once the use of *spolia* had become widespread. Church father Gregory of Nazianzus (329-389/390), archbishop of Constantinople, even wrote a full eighty epigrams on the violation of tombs, one of which is titled “to those who build churches out of stones taken from tombs”:

> “It is paying honour to the martyrs always to die to life, remembering the great heavenly blood; but tombs are an honour to the dead. Let him who erects shrines to us out of the stones belonging to others lack himself a tomb.”[80]

Unlike the first two motives, this type of reuse was incredibly wide-spread. The idea that the reuse of tomb materials was a contamination of the living by the dead, seems to have had little influence on the reuse of such materials.[81]

A fourth motive for the use of *spolia* is that of aesthetic conservatism, the need for building in a style that closely resembled the ancient monuments. The most common attitude towards *spolia* seems to have been one of caution and unease. The many laws in the Theodosian Code regarding the reuse of material seem to confirm this. During the fourth and fifth centuries the official viewpoint on the use of *spolia* gradually tries to work with the trend by permitting a carefully regulated use of *spolia* material for building. This conservative attitude towards *spolia* seems to have influenced aesthetics as well. The later fourth- and fifth-century tendency to match homogenous *spolia* pieces, as well as the use of fully homogenous sets of columns for the colonnade in some cases (S. Sabina, S. Pietro in Vincoli), could suggest that these *spolia* pieces were made to resemble new material.[82]

Next to all these ideological motives for reuse, there are, of course, also some more pragmatic ways of explaining the reuse of materials. The primary example for this type of reasoning is simply the need to speed up building processes and reduce their costs.[83] However; the simple fact that pieces were available does not give enough of an explanation for the use of *spolia*. It was not enough to just *have*

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78 R. Coates-Stephens, ‘Attitudes to *Spolia*’ (2003) 349-350.
79 A. Esch, ‘On the Reuse of Antiquity’ (2011) 26.
80 *Anthologia Graeca,* VIII.173. Translation in: W. R. Paton, *The Greek Anthology in Five Volumes,* Vol. II (London 1919) 477.
81 R. Coates-Stephens, ‘Attitudes to *Spolia*’ (2003) 351.
82 Ibidem, 352-354.
83 A. Esch, ‘On the Reuse of Antiquity’ (2011) 23; and K. L. Noethlichs, ‘Kaiserzeitliche und spätantike staatliche Regularien zur Spoliierung – ein Kommentar’, in: S. Altekamp, C. Marcks-Jacobs and P. Seiler, *Perspektiven der Spolienforschung 1 – Spoliierung und Transposition* (Berlin 2013) 13.

antiquity, one also had to *want* it to warrant the use of *spolia*.[84] An economic motive should not be ignored completely, however it seems to have been of much less importance, at least during Constantinian times. In the later fourth and during the fifth and sixth centuries, however, this is a different case. Economic decline set in and the economic motive seems to have become more and more applicable.[85] Finally, the choice for *spolia* material could also simply have been caused by unadulterated admiration of a specific piece, without any other motives having been involved.[86]

It is important to note, once more, that the most recent archaeological studies reveal that many of the pieces that were considered to have been stripped from standing buildings with the purpose of reusing them in a specific building, are more likely to have come from (imperial) warehouses The imperial marble depots were used to store large quantities of raw material, partially finished ornaments and material that was salvaged from demolished or never-finished buildings. This material was all stored under imperial supervision. The material in these warehouses was used from the Roman imperial times through the Middle Ages, Renaissance, and even into the nineteenth century.[87] Depending on the availability of such materials, it becomes much more difficult, if not impossible, to attach any kind of ideological significance to the reuse of these materials. Important to keep in mind as well is the fact that any justification for the use of *spolia* might simply be an explanation that was considered in hindsight; it might never have been in the architect's mind.[88]

[84] A. Esch, 'On the Reuse of Antiquity' (2011) 27.
[85] B. Brenk, 'Spolia from Constantine to Charlemagne' (1987) 105.
[86] A. Esch, 'On the Reuse of Antiquity' (2011) 26.
[87] H. Brandenburg, 'The Use of Older Elements' (2011) 54-55.
[88] R. Coates-Stephens, 'Attitudes to *Spolia*' (2003) 341, 356.

2. Ideology: a study of the written sources

When investigating the attitudes of Late Antique viewers to the reuse of building materials, it becomes clear that the views on this topic are as diverse as they are in the scientific discussion surrounding *spolia* today. This chapter will give an overview of the various attitudes found in ancient texts towards the use of *spolia*, as well as their developments throughout time and the different attitudes on how previously 'pagan' material was supposed to be handled. Different types of sources will be discussed: from official state laws and reports by historians, to theological works, poems, and orations. They will be discussed per source, in chronological order. It is important to note that the only times the word *spolia* is used in ancient texts to refer to the reuse of materials, is as *spoliate*, meaning 'despoiled' or 'stripped'.[89] Also, the sources do not specifically mention churches; instead they speak of public buildings. Of course, during Late Antiquity, churches increasingly became the most important type of public building.

2.1 Cicero, *In Verrem* (70 BC)

Marcus Tullius Cicero (106 BC – 43 BC) was a Roman orator, politician, lawyer and philosopher. While serving as *quaestor* in Sicily in 75 BC, he was asked by the Sicilians to prosecute Gaius Verres, governor of Sicily, who had plundered the area.[90] The orations against Verres; titled *In Verrem*, were published in 70 BC; although not all the orations Cicero had prepared had been presented, due to Verres' voluntary exile. While Cicero lived in a much earlier time than the period discussed in this study, his orations can help us understand the dominantly negative connotations that came with the use of *spolia* in later times. It is important to note once more that *spoliatio* by definition refers to illegal removal, an abuse of the power of appropriation. This practice of *spoliatio* is one of the crimes for which Cicero prosecuted Verres on behalf of the province of Sicily.[91] In his orations against Verres, Cicero states the following:

> "This same man while praetor plundered and stripped those most ancient monuments, (…) And he did this not only in the case of public statues and ornaments, but he also plundered all the temples consecrated in the deepest religious feelings of the people."[92]

In Cicero's ideas the origin of the object, its status, the way it was taken and the way it is subsequently used are what distinguishes good spoliation from bad. What makes for good *spolia*? *Spolia* are taken from enemies, not from allies. They need to be taken with restraint and consideration of the conquered.

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[89] R. Coates-Stephens, 'Attitudes to *Spolia*' (2003) 342, 349.
[90] E. Rawson, *Cicero, a portrait* (1975) 303.
[91] D. Kinney, 'Rape or Restitution' (1995) 53.
[92] Cicero, *In Verrem,* 1.1.14. Translation from: http://perseus.uchicago.edu/perseus-cgi/citequery3.pl?dbname=PerseusLatinTexts&query=Cic.%20Ver.&getid=1 Last consulted on 07/06/2014.

They can never become private property, but should be displayed as a public monument, to remind the people of the victor and his achievements.[93]

> "What? do you think this can be endurable to any one (…) That it should be Verres who adorns your villas with his spoils? That it should be Verres who is vying with Lucius Mummius: so that the one appears to have laid waste more cities of the allies, than the other overthrew belonging to the enemy? That the one, unassisted, seems to have adorned more villas with the decorations of temples, than the other decorated-temples with the spoils of the enemy?"[94]

Cicero gives us an idea of how despoliation was culturally embedded. Signs of triumph were considered to be good, the stripping of public buildings was not. Victors could legitimately take *spolia* from their conquered enemies, but magistrates could not take riches and adornments from their citizens and public buildings.[95] This idea remains strong well into Late Antiquity. Of course, Cicero wrote in a time when *spolia* in the modern, art-historical sense are thought to not have existed. However, the attitude he poses seems to have remained strong in later times, when the reuse of architectural materials gained popularity.

2.2 *Codex Theodosianus* (429-438)

This attitude is still reflected in many of the laws of the *Codex Theodosianus,* or Theodosian Code; a compilation of laws from 312-437. Compiled and published between 429-438, it contains the most elaborate collection of laws on public construction and reuse. Its section 'On Public Buildings' consists of over a century's worth of legislation on the subject, issued under the Christian emperors from the first half of the fourth century to the first half of the fifth century. Although the Codex itself dates to the mid-fifth century, it contains laws that are much older; going back until the year 312, which is why it will be discussed first of the Late Antique sources. Many of these laws address the practice of spoliation; most often they appear to be an attempt to control the activity. This concern is what most modern scholars have focused on; claiming it is evidence for decline in the cities. Certain laws state that a city could not legally be deprived of its 'civic ornament'. This meant that public buildings and their decoration, which were of great importance for a city's image, had to be preserved. However, in order to preserve these elements, they often had to be adapted to new purposes and contexts; meaning reuse.[96] The main focus will be on what happens to *public* buildings; the laws discussed in the following paragraphs do not address what happens to *private* buildings or tombs – this is less relevant to this study, although it would definitely be an fascinating topic for further research.

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[93] D. Kinney, 'Rape or Restitution' (1995) 53.
[94] Cicero, *In Verrem*, 2.3.9. Translation from: http://perseus.uchicago.edu/perseus-cgi/citequery3.pl?dbname=PerseusLatinTexts&query=Cic.%20Ver.&getid=1 Last consulted on 07/06/2014.
[95] D. Kinney, 'Rape or Restitution' (1995) 54.
[96] J. Alchermes, 'Spolia in Roman Cities' (1994) 168-169.

It is interesting to see that the section 'On Public Buildings'; Book 15 of the *Codex Theodosianus*; starts with a law from 357:

> "No man shall suppose that municipalities may be deprived of their own ornaments, since it indeed was not considered right by the ancients that a municipality should lose its embellishments, as though they should be transferred to the buildings of another city."[97]

Starting the book with this law does not fit within the chronological order that is otherwise maintained within the *Codex*, so one would think this is meant to stress its importance. It is an imperial proclamation on the relation between cities and their ornaments; showing us how important these ornaments were considered to be well until the time the *Codex* was compiled. [98]

Many laws in the Codex Theodosianus encouraged the restoration of old public buildings. Two of these laws, both issued in 365, state that judges; meaning any high administrative officials[99], are forbidden to construct any new buildings, "if the order therefor of Our Serenety should be lacking."[100] The restoration of older buildings, however, is encouraged:

> "(…) full and gracious permission shall be granted to the judges to restore to their former appearance and to their suitable and useful service the ornaments of cities and their marble embellishments, if they are suffering the ravages of time in any particular."[101]

If monuments were damaged, either by time or other reasons, they were often dismantled so their materials could be reused as *spolia*. A law of 376 directly addresses this practice; after reaffirming the previous laws of 365:

> "No one of the prefects of the City or other judges (…) shall undertake any new structure in the renowned City of Rome, but he shall direct his attention to improving the old. If any person should wish to undertake any new building in the City, he must complete it with his own money and labor, without bringing together [materials from] old buildings, without digging up the foundations of noble buildings, without obtaining renovated stones from the public, without tearing away pieces of marble by the mutilation of despoiled buildings.[102]

Although the emperors still preferred the restoration of ancient buildings; they no longer forbade the building of new structures completely – as long as no *spolia* material was taken from older buildings to complete these new structures. It was an attempt to prevent or stop the demolition of buildings that

[97] *Codex Theodosianus*, 15.1.1. Translation in: C. Pharr, *The Theodosian Code* (1952) 423.
[98] J. Alchermes, 'Spolia in Roman Cities' (1994) 174-175.
[99] C. Pharr, *The Theodosian Code* (1952) 424, note 7.
[100] *Codex Theodosianus*, 15.1.11. Translation in: C. Pharr, *The Theodosian Code* (1952) 424.
[101] Ibidem, 15.1.16., Translation in: C. Pharr, *The Theodosian Code* (1952) 425.
[102] Ibidem, 15.1.19., Translation in: C. Pharr, *The Theodosian Code* (1952) 425.

was practiced for the wrong reasons by the wrong people.[103]The actions of high administrative officials (judges) in particular seem to have been limited to the restoration of buildings; whereas any other person wishing to construct new buildings had to do so without any financial help from the State. A few years later, in 380, a law was passed that was slightly more lenient towards these 'judges':

> "All of the judges shall in the first place devote the attention of their administration to the protection of old public buildings, and thereafter shall apply themselves to new ones. (…)"[104]

The focus on restoring the ancient buildings remains prominent; although this law no longer prevented the officials from starting new buildings.

During the years that follow, between 385 and 396, several laws were passed that show us that less money was made available by the State for repairs and new buildings, and increasingly more of these expenses had to be paid by the people and officials themselves.[105] An example of this can be seen in the following law, passed in 390:

> "If any person, more audaciously than wisely, should undertake to erect any new public works in any municipality, he shall know that he must furnish the expense from his own property and that he must complete what he commenced. We shall not credit to paymasters any sum that is so used. (…)"[106]

One could imagine that the despoiling of buildings for materials would have become much more appealing once these state subsidies were limited or taken away. It is therefore perhaps not too surprising that legislation passed in the last few years of the fourth century focused on the problem of illegal demolition. This is clearly seen in a law that was passed in 398; addressed to Theodorus, Praetorian Prefect:

> "No judge shall burst forth into such rash lawlessness as to suppose that he should begin any new work without consulting Our Piety, or that he should dare to tear from any structure any ornament of bronze or marble or any other material, which can be proved to have been in serviceable use or to constitute an ornamentation in any municipality, or that he should dare to transfer such material to some other place without the order of Your Sublimity."

Spoliation was only allowed with Theodorus' explicit approval. As long as the buildings were still in usable condition and added adornment to the city, their decorative and structural elements were not to

[103] J. Alchermes, 'Spolia in Roman Cities' (1994) 173.
[104] *Codex Theodosianus,* 15.1.21., Translation in: C. Pharr, *The Theodosian Code* (1952) 425.
[105] Ibidem, 15.1.24, 15.1.26-28, 15.1.32-35., Translation in: C. Pharr, *The Theodosian Code* (1952) 425-427.
[106] Ibidem, 15.1.28., Translation in: C. Pharr, *The Theodosian Code* (1952) 426.

be removed.[107] It is interesting that, again, this law specifically addresses the activities of judges, or state officials. Apparently this was necessary.

After these last few laws from the end of the fourth century; no more laws are included in the *Codex Theodosianus* on the destruction and/or reuse of ancient buildings. We must remember, however, that all of the laws cited above were compiled and published once more between 429-438; when the need for them was apparently high. The first major law that follows and is of interest to this study can be found in the *Novellae Maioriani* of 458, which will be discussed further on.

The laws in the *Codex Theodosianus* all postdate the start of the use of *spolia* in grand building projects. They do not specifically target the reuse of materials, but rather focus on the destruction of buildings by unauthorised individuals to obtain these materials. Considering the many laws that were passed on this topic, it appears to have been something that happened quite often. It would seem that it was not the reuse that was the problem, it was the way these materials were gathered and the fact that it was unauthorised.[108] It seems to be a way for the emperors to get a grip on the way these materials were acquired and make sure they were instrumental in authorising such activities. This would make these laws a way to uphold an imperial monopoly; that of getting to decide who would get the stones of demolished buildings, instead of wanting to protect the monuments from demolition.[109] The idea of limiting the mobility of the reused material also comes to the fore – no matter what building the materials came from; they were to remain in the city in which they were first used. [110] All in all, it would seem that, during the fourth and fifth centuries, the imperial office gradually tries to work with the trend by permitting a carefully regulated use of *spolia* material for building. [111]

Considering many of the laws specifically target the despoliation of buildings by state officials, it would seem that the ornaments and splendour of the city were threatened especially by those officials that allowed such destruction of buildings. This is something that is more or less confirmed by the next source, that of Ammianus Marcellinus.

2.3 Ammianus Marcellinus, *Res Gestae* (before 391)

Ammianus Marcellinus (c. 330-400) was a fourth-century historian of Greek descent. After settling down in Rome, he wrote a history of the Roman Empire from 96-378, the *Res Gestae,* which was published sometime before 391. The first thirteen books are lost; leaving the last eighteen books; which discuss the period from 353-378; making Ammianus a contemporary writer; at least for the

[107] J. Alchermes, 'Spolia in Roman Cities' (1994) 174.
[108] D. Kinney, 'Rape or Restitution' (1995) 54.
[109] M. Greenhalgh, *The survival of Roman Antiquities* (1989) 88.
[110] J. Alchermes, 'Spolia in Roman Cities' (1994) 175.
[111] R. Coates-Stephens, 'Attitudes to *Spolia*' (2003) 353.

remaining books.[112] The most common attitude towards *spolia* seems to have been one of caution and unease. The many laws in the Theodosian Code regarding the reuse of material seem to confirm this. They could be interpreted as restrictions on a popular habit; however the practice of spoliation by state officials was not just unpopular; it could even lead to civic unrest.[113] Ammianus Marcellinus gives us an account of riots against the late fourth-century urban prefect Lampadius, caused by his robbing of building materials.[114] The events described took place in the year 365; while Lampadius was prefect of Rome.[115]

> "As prefect, Lampadius was disturbed by frequent outbreaks, the greatest of all being when a mob, composed of the dregs of the populace, by throwing fire-brands and fire-darts upon his house near the Baths of Constantine would have burned it, had not his friends and neighbours quickly rushed to the spot and driven them off by pelting them with stones and tiles from the house-tops. He himself, terrified by such violence in the first stages of a growing tumult, fled to the Mulvian bridge which the elder Scaurus is said to have built—as though to wait there for the cessation of the tumult, which a serious cause had aroused. For when preparing to erect new buildings or restoring old ones, he did not order materials to be obtained from the usual taxes, but if there was need of iron, lead, bronze, or anything of the kind, attendants were set on, in order that they might, under pretence of buying the various articles, seize them without paying anything. In consequence, he was barely able by swift flight to avoid the anger of the incensed poor, who had repeated losses to lament."[116]

This passage gives us a great idea of the way the people of Rome in general viewed the illegal robbing of building materials. The unrest amongst the people might have actually helped prompt the many laws on the reuse of materials and the protection of ancient buildings.[117] It shows us, again, that how the materials were acquired must have been a stronger factor in how they were perceived than stylistic distinctions among the different reused pieces.[118]

2.4 Augustine, *De Doctrina Christiana* (397-426)

Of course, it is also interesting to look at the practice of spoliation from a theological perspective. In this respect it is interesting to see what St. Augustine of Hippo (354-430) has to say about the practice

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[112] G. Kelly, *Ammianus Marcellinus: The Allusive Historian* (Cambridge 2008) 104-112.
[113] R. Coates-Stephens, 'Attitudes to *Spolia*' (2003) 352.
[114] R. Coates-Stephens, 'Epigraphy as Spolia (2002) 280; and R. Coates-Stephens, 'Attitudes to *Spolia*' (2003) 353.
[115] Ammianus Marcellinus, *Res Gestae Libri XXVII*, 3.8. Translation on: http://perseus.uchicago.edu/perseus-cgi/citequery3.pl?dbname=LatinAugust2012&query=Amm.%2027.3.8&getid=1 last consulted on 07/06/2014.
[116] Ibidem, 3.8-10. Translation on: http://perseus.uchicago.edu/perseus-cgi/citequery3.pl?dbname=LatinAugust2012&query=Amm.%2027.3.8&getid=1 last consulted on 07/06/2014.
[117] R. Coates-Stephens, 'Attitudes to *Spolia*' (2003) 353.
[118] D. Kinney, 'Rape or Restitution' (1995) 57.

of reuse. Augustine was a fourth-century Christian theologian and philosopher, and is considered one of the foremost Western Church Fathers. He wrote several theological works, including *De Doctrina Christiana* (397-426), or 'Teaching Christianity', which consists of four books that describe how to interpret and teach the Scriptures.[119] The last part of the second book, which was published in 397, describes how to deal with heathen superstitions and teachings, which will be discussed here. It was published at a time when spoliation must have occurred quite often; as is attested by the late fourth-century laws on illegal demolition of public buildings that have been discussed above.

Although Augustine did not reside in Rome itself, his works address all Christians in the Roman world, including those in Rome. His influence was widespread. His contemporary, St. Jerome, wrote to Augustine in 418, stating the following:

> "You are famous throughout the world; Catholics revere and embrace you as the second founder of the Ancient Faith."[120]

Considering his influence, it is therefore useful to look at what Augustine has to say on the subject of reuse and the appropriation of 'pagan' or 'heathen' objects, which is how the *spolia* pieces from earlier imperial times could be defined. He writes the following:

> "In the same way, while the heathen certainly have counterfeit and superstitious fictions in all their teachings, (…) some true things are to be found among them about worshiping only the one God. All this is like their gold and silver, and not something they instituted themselves, but something which they mined, so to say, from the ore of divine providence, veins of which are everywhere to be found. As they for their part make perverse and unjust misuse of it in the service of demons, so Christians for theirs ought(…) to take these things away from them for the proper use of preaching the gospel. Their fine raiment too, meaning, that is, what are indeed their human institutions, but still ones that are suitable for human society, which we cannot do without in this life, are things that it will be lawful to take over and convert to Christian use."[121]

Although Augustine does not mention it specifically, when we apply this philosophy to the reuse of architectural materials, one could argue that these *spolia* pieces could be placed in the same category as the "gold and silver" and "fine raiment" of which Augustine speaks; something that would have been "lawful to take over and convert to Christian use". This would mean that the reuse of formerly 'pagan' materials in Early Christian churches would have been acceptable from a theological

[119] M. F. Hansen, *The eloquence of appropriation* (2003) 36, 193, 272.

[120] Jerome, *Epistola 141/195.* Translation in: Boniface Ramsey, *Letters 156-210: Epistulae II* (New York 2004) 309.

[121] Augustinus, *De Doctrina Christiana,* II.60. Translation in: Edmund Hill, *The Works of Saint Augustine: A Translation for the 21st Century,* part 1, vol. 11 (New York 1996) 160.

perspective, considering they would have been taken away from their original context "for the proper use of preaching the Gospel".

This attitude is certainly echoed in a poem by Prudentius (348-413). He encouraged the continued appreciation of pagan artefacts for both aesthetic value and their being "*the works of great craftsmen"*, in his address to Rome and her pagan leaders. These artefacts deserved to be treasured due to their civic associations. The religious functions of the building had to be separated from the building itself, as well as from its sculpture.[122]

> "You should give up your childish festivals, your laughable rites,
> your shrines unworthy of so great an empire.
> Oh noble Romans, wash your marble statues wet with dripping spatters of gore –
> let these statues, the works of great craftsmen, stand undefiled;
> let them become the most beautiful adornments of our native city – may no
> depraved purpose taint these works of art, no longer in the service of evil."[123]

2.5 *Novellae Maioriani* (458)

State-managed *spoliatio* was legalised on July 11, 458, in the *Novellae Maioriani*, a collection of laws issued by emperor Majorian, who was the Western Roman emperor from 457-461. One of these laws, titled "On Public Buildings", decreed that no public building in Rome could be torn down, except with permission from the Roman senate. If the senate granted permission; this would in turn be reviewed by the emperor himself; who would then assign the building material to be used in a different building.[124] The need for this law, which is addressed to the prefect of the city, is explained as follows:

> "While We rule the State, it is Our will to correct the practice whose commission We have long detested, whereby the appearance of the venerable City is marred. Indeed, it is manifest that the public buildings, in which the adornment of the entire City of Rome consists are being destroyed everywhere by the punishable recommendation of the office of the prefect of the City. While it is pretended that the stones are necessary for public works, the beautiful structures of the ancient buildings are being scattered, and in order that something small may be repaired, great things are destroyed."[125]

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[122] J. Alchermes, 'Spolia in Roman Cities' (1994) 171-172.
[123] Prudentius, *Contra Orationem Symmachi,* I.I.499-505. Translation in: J. Alchermes, 'Spolia in Roman Cities' (1994) 171.
[124] Dale Kinney, 'spoliation in medieval Rome', 263.
[125] *Novellae Maioriani,* 4.1. Translation in: C. Pharr, *The Theodosian Code* (1952) 553.

It would seem that the practice of spoliation had come to an all-time high by that point, having gained momentum and popularity ever since Constantine first started using *spolia* materials on a larger scale. Majorian claims that he wants to put an end to this detestable practice. However, further on in that same law he states the following:

> "Of course, if any building must be torn down for necessary considerations, for the public construction of another work or on account of the desperate need or repair [of another building], We direct that such claim shall be alleged with the suitable documents before the Most August Order of the venerable Senate. When it has decreed, after deliberation, that this must be done, the matter shall be referred to the knowledge of Our Clemency, so that We may order that such building shall nevertheless be transferred to the adornment of another public work, if we should see that it can in no way be repaired, O Aemilianus, dearest and most beloved Father."[126]

So, even though Majorian claims to detest the practice of spoliation, he ends up legalising it nevertheless. This legalisation, however, is completely on his terms. In doing so, he makes sure that he has control over a practice that, by the sound of it, had become incredibly widespread. It could be seen as an attempt to preserve the city's ornaments, by sacrificing the ruinous buildings in order that others could be repaired and improved.

Interestingly, seventh-century chronicler John of Antioch gives us an account of public revolts, following the emperor Avitus' decision in 456 to dismantle public monuments in order to pay his troops with the bronze acquired.[127] Some modern scholars even link this revolt to the law of emperor Majorian, considering it was passed shortly after. The unrest amongst the people might have been the reason this law was passed in the first place.[128] It must also be noted that this law was passed not too long after Rome had been sacked during barbarian invasions; first by the Goths in 410; and subsequently by the Vandals in 455.[129] This probably left enough buildings damaged and abandoned, which would likely have increased the practice of *spoliatio*. Majorian might have realised, however, that a complete ban on spoliation would not have been realistic, which would explain why he legalises it under his and the senate's strict supervision, despite stating his dislike of the practice. Under Roman law, public buildings belonged to the city as a whole. The emperor had authority over them, however, just as he did over anything else. In this law, we can see the emperor exercising this authority, in

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[126] *Novellae Maioriani,* 4.1, translation in: C. Pharr, *The Theodosian Code* (1952) 554.
[127] John of Antioch, *fragments* 202, translation in: C.D. Gordon, *Age of Attila: Fifth-Century Byzantium and the Barbarians* (Ann Arbor 2013) 116.
[128] R. Coates-Stephens, 'Attitudes to *Spolia*' (2003) 353.
[129] P. Heather, *The Fall of the Roman Empire: A New History of Rome and the Barbarians*, (Oxford 2006) 227-228; and D. Kinney, 'Edilizia di culto Cristiano' (2010) 75.

recognition of his responsibilities towards maintaining the public appearance of the city of Rome.[130] It could, of course, also have been a way to assure his own influence without seeming too eager.

The century following the collapse of the Western Roman Empire, the Ostrogothic kingdom of Italy, with Ravenna as its capital, briefly flourished. This was followed by a long war between the Byzantine Empire and the Goths; waged on behalf of Emperor Justinian by general Belisarius and his rival Narses; during which Rome was targeted by both sides.[131]

2.6 Cassiodorus, *Variae* (537)

Flavius Magnus Aurelius Cassiodorus (490-c. 585) was a historian and statesman during the period of the Ostrogothic kings in Italy. Several letters written by Cassiodorus, on behalf of king Theodoric, can be found in his *Variae,* a compilation of letters, edicts, and a history of mankind from Adam to 519; published in 537.[132] These letters give us an overview of some of Theodoric's policies; the letters concerning the preservation of ancient architecture are of particular interest to this study.

Theodoric applied a lot of effort to preserving antique art and architecture. According to modern scholars, he compared himself to Roman emperors, whom he wanted to imitate; also in his building activity. However; he has slabs of marble transported all the way from Rome to Ravenna, something that must have cost a lot, instead of gathering building material closer by.[133] Considering he was an 'outsider', he had to create a link with the Roman heritage in another way; through art and architecture. He wanted "nothing but the newness of the buildings" to distinguish his buildings from the ancient Roman architecture.[134] He held the Roman architectural tradition in high regard. The *spolia* were meant to recall the historical traditions of Rome in his capital city of Ravenna.[135] Interestingly; Theodoric only used *spolia* in one of his buildings in Ravenna; specifically those from Rome; in his own palace.[136] This would imply that although the reuse of materials had become widely accepted, and was sometimes specifically sought out; the use of new materials was still desired. The palace, however, was one of the more important buildings – surrounding himself with *spolia* definitely sent a message, considering he described his palace as a symbol of political representation:

[130] D. Kinney, 'Spoliation in Medieval Rome', in: S. Altekamp, C. Marcks-Jacobs and P. Seiler, *Perspektiven der Spolienforschung 1 – Spoliierung und Transposition* (Berlin 2013) 266.
[131] D. Kinney, 'Edilizia di culto Cristiano' (2010) 82.
[132] T. Hodgkin, *The Letters of Cassiodorus* (London 1886) 1-24.
[133] B. Brenk, 'Spolia from Constantine to Charlemagne' (1987) 106.
[134] Cassiodorus, *Variae,*VII.5.20. Translation in: B. Brenk, 'Spolia from Constantine to Charlemagne' (1987) 108.
[135] B. Brenk, 'Spolia from Constantine to Charlemagne' (1987) 108.
[136] R. Coates-Stephens, 'Attitudes to *Spolia*' (2003) 354.

"These are the joyful witnesses of our government, the sparkling embodiment of our reign, the herald's call of sovereign power. We show these things with admiration to the ambassadors who can easily identify the sovereign with his residence."[137]

The letters of Cassiodorus show a determined policy to preserve ancient architecture. This appears to have been achieved through the use of *spolia;* preserving the ornaments through reuse.[138] The following fragment confirms this idea:

"We wish to build new edifices without despoiling the old. But we are informed that in your municipality there are blocks of masonry and columns formerly belonging to some building now lying absolutely useless and unhonoured. If it be so, send these slabs of marble and columns by all means to Ravenna, that they may be again made beautiful and take their place in a building there.'"[139]

Theodoric seems to have been willing to sacrifice buildings that were beyond repair; so that their materials could be used to improve those buildings that were still worth saving. He does, however, leave a greater role for the private builders and patrons, unlike what emperor Majorian did in his novel.[140]

"Let nothing lie useless which may redound to the beauty of the City. Let your Illustrious Magnificence therefore cause the blocks of marble which are everywhere lying about in ruins to be wrought up into the walls by the hands of the workmen whom I send herewith. Only take care to use only those stones which have really fallen from public buildings, as we do not wish to appropriate private property, even for the glorification of the City."[141]

It appears that the state of deterioration that the building is in, is the main factor in deciding whether spoliation is in order. Theodoric speaks out against the demolition of buildings that had not yet deteriorated or that he had repaired himself:

"Our care is for the whole Republic, 'in which, by the favour of God, we are striving to bring back all things to their former state;' but especially for the City of Rome. We hear that great depredations are being committed on public property there. (…) Great weights of brass and lead (…) have been stripped off from the public buildings. (…) Temples and other public

[137] Cassiodorus, *Variae*, VII.5; translation in Brenk 1987, 108.
[138] R. Coates-Stephens, 'Attitudes to *Spolia*' (2003) 354.
[139] Cassiodorus, *Variae*, III.9. Translation in: T. Hodgkin, *The Letters of Cassiodorus* (London 1886) 202.
[140] D. Kinney, 'Spoliation in Medieval Rome' (2013) 263.
[141] Cassiodorus, *Variae Epistulae*, II.7. Translation in: T. Hodgkin, *The Letters of Cassiodorus* (London 1886) 174.

buildings, which at the request of many we have repaired, are handed over without a thought to spoliation and ruin."[142]

Theodoric used *spolia* in order to preserve antiquities through their reuse. This gave the use of *spolia* a conservative ideological content. This conservative mentality of Theodoric also referred to the historical tradition of Rome that was represented by *spolia*.[143]

2.7 Procopius, *De Bellis* (545-551)

Procopius of Caesarea (500-565) was perhaps the most important historian of the sixth century. His most prominent work, *De Bellis*, or *The Wars of Justinian,* deals with the wars fought by the Eastern Roman emperor Justinian I in eight books. It was published somewhere between 545-551, but the fragments discussed below describe events from around the year 536. *The Wars* is an account of Procopius' experiences while accompanying the Roman general Belisarius as his advisor as he fought emperor Justinian's battles. This military campaign eventually brings them to Rome, during the war with the Goths.[144] Although most of *The Wars* discusses military battles and victories, the descriptions of Rome, as given by Procopius, create a break from all the bloodshed. While Procopius does not directly address the practice of spoliation and reuse; it is interesting to see his attitude towards the ancient monuments of Rome; which is why this source has been included in this study.

The first fragment is part of the letter of General Belisarius to Totila, the Ostrogoth king, who had been wreaking havoc in the city of Rome, as described by Procopius in book seven:

> "(…) Now among all the cities under the sun Rome is agreed to be the greatest and most noteworthy. For it has not been created by the ability of one man, nor has it attained such greatness and beauty by a power of shirt duration, but a multitude of monarchs, companies of the best men, a great lapse of time, and an extraordinary abundance of wealth have availed to bring together in that city all other things that are in the whole world, and skilled workers besides. Thus, little by little, have they built the city, such as you behold it, thereby leaving to future generations memorials of the ability of them all, so that insult to these monuments would properly be considered a great crime against the men of all time; for by such action the men of former generations are robbed of the memorials of their ability, and future generations of the sight of their works."[145]

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142 Cassiodorus, *Variae Epistulae*, III.31. Translation in: T. Hodgkin, *The Letters of Cassiodorus* (London 1886) 213.
143 B. Brenk, 'Spolia from Constantine to Charlemagne' (1987) 109.
144 A. Cameron, *Procopius and the Sixth Century* (London 1985) 7-20.
145 Procopius, *De Bellis*, VII.xxii.9-14. Translation in: H. B. Dewing, *Procopius in Seven Volumes,* vol. IV (London 1924) 345-347.

From this fragment we can gather that the ornaments of the city were still considered to be of great importance in the sixth century. Procopius states that "insult to these monuments would properly be considered a great crime against the men of all time". It is unclear, however, what he means, exactly, when speaking of "insult".

In book eight, Procopius gives us a description of Rome as he saw it when entering the city:

> "Yet the Romans love their city above all the men we know, and they are eager to protect all their ancestral treasures and to preserve them, so that nothing of the ancient glory of Rome may be obliterated. For even though they were for a long period under barbarian sway, they preserved the buildings of the city and the most of its adornments, such as could through the excellence of their workmanship withstand so long a lapse of time and such neglect."[146]

Procopius explains here that the Romans managed to preserve their buildings and ornaments despite barbarian attacks, including, quite possibly, the one led by Totila. It is interesting that he mentions the buildings and adornments separately. We could interpret this separate mention of the adornments as an indication that Procopius is speaking of *spolia* pieces here; *spolia* that had been preserved through their reuse; for we know that spoliation had become widespread by this time. We need to remember that this is about a century after emperor Majorian's law of 458; as well as shortly after Theodoric attempted to preserve ancient architecture through the use of *spolia*. It seems that Procopius actually commends the Romans for their manner of preservation, possibly including the reuse of older materials. What is interesting as well, however, is the mention of neglect. Procopius seems determined to stress the importance of the preservation of Rome's ancient treasures; the mention of neglect, however, makes this sound somewhat nostalgic.

2.8 Developments

Although the ideologies presented in these sources do not seem to have developed in a straight line from negative to positive; an overall development can be detected. Whereas the fourth- and fifth-century sources generally show a negative attitude towards spoliation; we can see a gradual acceptance of the practice; through careful regulation. From the sixth century onwards, this attitude seems to change; placing the reuse of ancient ornaments in a more positive light and viewing it as a means of preserving Antiquity. This sentiment was possibly influenced by the damages done in the city during multiple barbarian invasions and the decline of Rome after the end of the Western Roman Empire at the end of the fifth century.

[146] Procopius, *De Bellis*, VIII.xxii.3-10. Translation in: H. B. Dewing, *Procopius*, vol. V (1924) 279.

3. Practice: a case-study of the practical applications of *spolia*

For this case study on the use of *spolia* material, I have chosen to look at both churches and other types of buildings; in order to see whether there was perhaps a difference in the use of *spolia* in these different types of buildings; as well as to compare them to the written sources. Six of these are churches: S. Clemente, S. Paolo f.l.m., S. Sabina, S. Pietro in Vincoli, S. Stefano Rotondo and S. Lorenzo f.l.m. The non-church buildings used for comparison are: the Temple of Romulus, the Mausoleum of Constantina, the Porticus Deorum Consentium and the Temple of Saturn. They will be discussed chronologically, by date of construction, in order to see if a development can be detected in the use of *spolia* in these buildings. These specific buildings were chosen based on the fact that they are still mostly intact and that the main *spolia* elements are still visible, which makes them good candidates for a case-study and enabled me to have a personal look at the various elements. The main exception to this is the church of S. Paolo f.l.m., which was damaged by fire and rebuilt in the nineteenth century. However, considering the documentation on this church is extensive, and considering a lot of the elements are still visible in the archaeological walkway next to the current church, I chose to include it nevertheless. Despite the fact that the Arch of Constantine would be an obvious choice to include in a case-study on *spolia*, I have chosen not to include it. Considering it is a monument and not a building, it has a completely different function than the other buildings in this case-study, which makes it difficult to make a comparison. Considering the Arch is also perhaps the most discussed *spolia* monument in modern scholarship to date and is still the cause for much debate, I would not be able to devote to it the attention it would require to give a proper understanding of this monument.

3.1 The Temple of Romulus (307-311/312)

The small circular building that is the Temple of Romulus was built on the Roman Forum by the emperor Maxentius in the beginning of the fourth century, before 311/312. It was possibly the audience hall of the city prefect.[147] Its entrance is often considered to be the first example of a significant use of *spolia* in a prominent imperial building. The porphyry columns that flank the door, as well as the door frame with a cornice above it are *spolia* of Severan date. Even the bronze doors of the temple were taken as *spolia* from a different context.[148] The Temple was built in a time when a trabeation was still

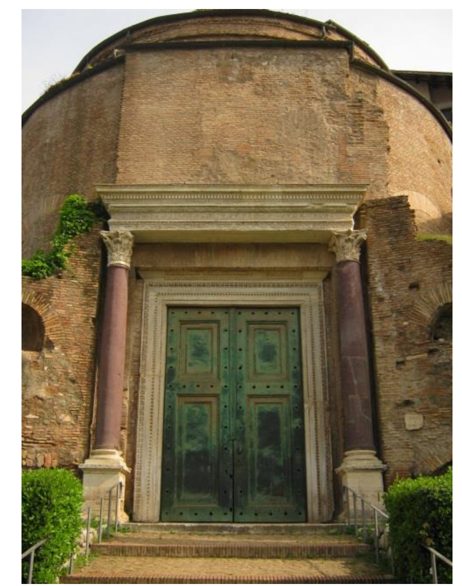


Fig. 6. Temple of Romulus.

[147] R. Krautheimer, *Rome: Profile* (2000) 8.
[148] M. F. Hansen, *The eloquence of appropriation* (2003) 41-42.

commonly used in Roman architecture, as can be seen by the use of a cornice, supported by the two columns. As we have seen in chapter one, the use of porphyry was usually associated with the imperial family; although in later times it would come to represent divinity. This would explain the choice of porphyry columns, considering the Temple of Romulus, named after the son of Emperor Maxentius, was probably dedicated to the imperial cult.[149]

3.2 Mausoleum of Constantina (325-350)

A mausoleum was built for the daughter of emperor Constantine, Constantina (or Constanza) on the Via Nomentana, between 325-350. It was possibly founded by Constantina herself, who was also responsible for the basilica of St. Agnes; which was part of the same complex. [150] It is a centrally planned mausoleum, that was only later consecrated as a church. The architectural elements in this structure give an impression of a homogeneity that is not actually there. It was built using two different sets of granite columns with composite capitals. The inner row is of Augustan date, while the outer row is of Severan date, with slightly smaller and less ornate capitals.[151]



Fig. 7. Mausoleum of Constantina; interior overview.

In the outer ring, one capital stands out, however, due to it being Corinthian instead of Composite. As seen from the entrance it is part of the first pair to the left of the main axis. In this very carefully orchestrated setting, it would seem unlikely that the placing of this capital was unintentional. As the

[149] M. F. Hansen, *The eloquence of appropriation* (2003) 41.
[150] R. L. P. Milburn, *Early Christian art and architecture* (1988) 98; and H. Brandenburg, *Ancient Churches of Rome : from the Fourth to the Seventh Century ; the Dawn of Christian Architecture in the West* (Turnhout 2005) 70.
[151] H. Brandenburg, *Ancient Churches* (2005) 81

first column (or last, depending on the walking direction) it could be seen as a subtle way of marking the beginning (or end) of the visit.[152]

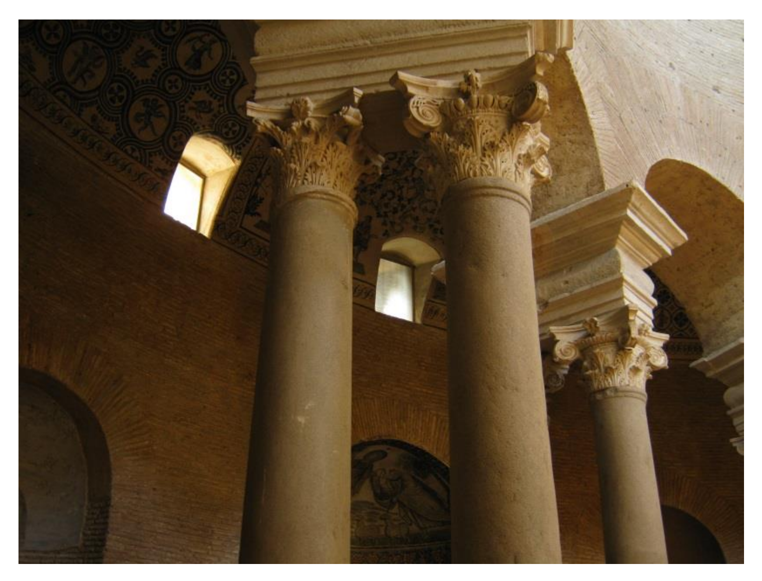


Fig. 8. Corinthian capital (left) and Composite capital (right); Mausoleum of Constantina.

The columns on the main axis, from the entrance to the niche in which the sarcophagus was placed, also create some variation. The two pairs at the niche consist of two pink granite shafts and two dark grey, slightly polished granite shafts; a darker grey than the rest of the columns. At the entrance, a pair of pink granite column shafts is combined with two regular, plain grey granite shafts, like those used in the rest of the colonnade.[153] Although the materials are heterogeneous; the distinctions are subtle; unnoticeable at first glance.

3.3 Porticus Deorum Consentium (367)

Although the number of buildings that were built with a pagan character was small after Constantine; during the fourth century some monuments were built by the traditionally pagan-minded Roman aristocracy that was represented by the Senate.[154] The Porticus Deorum Consentium, or Portico of the Twelve Gods, was rebuilt on the Forum Romanum by the city prefect Praetextatus

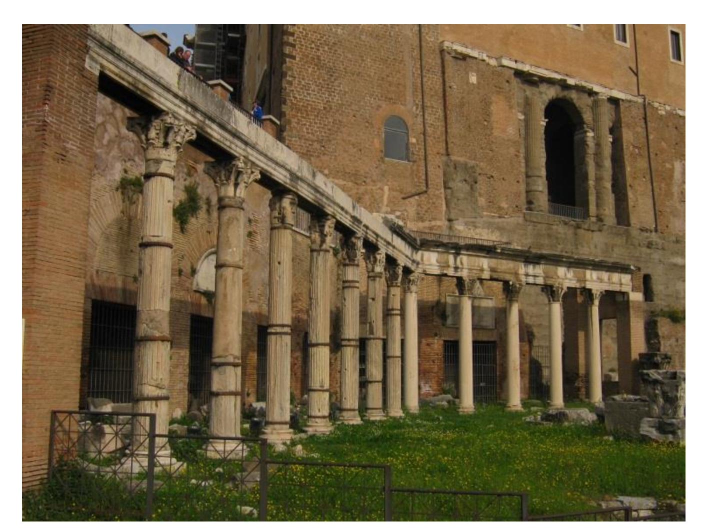


Fig. 9. Porticus Deorum Consentium.

[152] M. F. Hansen, *The eloquence of appropriation* (2003) 57-58.
[153] H. Brandenburg, *Ancient Churches* (2005) 79-81.
[154] M. F. Hansen, *The eloquence of appropriation* (2003) 100.

in the second half of the fourth century; around 367.[155] It is one of the last two pagan buildings to be (re)built on the Forum Romanum, the other one being the Temple of Saturn. It was built using two slightly different series of Corinthian *spolia* capitals with trophy reliefs; all of which are probably Hadrianic (118-138).[156] The use of *thophaea* in the capitals were a symbol of victory, and were probably meant to celebrate the victory of the twelve gods of the Roman Pantheon (Dii Consentes). Considering the portico was built at a time when the pagan cults were not yet prohibited and when Christianity had not yet been declared the new state religion; this use of trophy capitals might have been a way of showing that these gods were still strong, despite the rise of Christianity.



Fig. 10. Trophy capital; Porticus Deorum Consentium.

It is also interesting to link the building of the portico to the laws discussed in the previous chapter. It was rebuilt in 367; only two years after the laws discussed in Chapter Two were passed; preventing state officials from building new monuments had been passed. Considering these laws did state that the same officials were expected to restore old buildings; it would appear that the rebuilding of this portico falls perfectly within these laws. It is, after all, a restoration of an older building by the city prefect; one of those state officials mentioned in the laws. It must be noted, however, that it is unclear where the materials for this building were gathered.

[155] J. Onians, *Bearers of Meaning* (Princeton 1988) 71.
[156] M. F. Hansen, *The eloquence of appropriation* (2003) 100.

3.4 Temple of Saturn (360-380)

The temple of Saturn, the last pagan building to be built in the Roman Forum, was rebuilt for the last time between 360-380, using a mixture of different building materials of different origins. It was probably rebuilt by the Roman Senate, as stated by the inscription on the front of the temple. [157] All that remains today is the portico of the temple, as well as the foundation. The Ionic structure dating to the first century B.C. was copied in the rebuilt temple.[158] Some of the elements used in this building were of an older origin, some were newly produced specifically for this temple. The entablature with the inscription on it was also taken from a different context, as can be seen when looking at it from the inside of the temple; although the cornice probably came from the previous building phase. The decorated front side of the entablature is turned towards the inside of the temple, so as to expose the undecorated side in the façade, leaving space for the inscription.[159]



| Fig. 11. Temple of Saturn, front.



Fig. 12. Decorated inside of entablature, Temple of Saturn.

The columns of the portico are all *spolia* of different diameters and of either pink or grey granite. The column bases are all of different types and sizes, and therefore also considered to be *spolia*; although four of them may have come from the previous building phase.[160]

Just like the *Porticus Deorum Consentium,* the Temple of Saturn was built at a time when the restoration of buildings was encouraged by the state; as can be seen in the laws of the Theodosian Code that have been discussed in the previous chapter. Considering the temple was a restoration of the ancient temple, it fits within the laws passed at the time; having been restored by the high administrative officials that formed the Roman Senate.

[157] M. F. Hansen, *The eloquence of appropriation* (2003) 101-102.
[158] J. J. Herrmann, *The Ionic Capital* (1988) 168.
[159] Ibidem, 173.
[160] H. Brandenburg, 'The Use of Older Elements' (2011) 63.

3.5 S. Clemente (384-399)

The church of S. Clemente was built in the area between the Colosseum and the Lateran between 384-399, during the pontificate of pope Siricius, who dedicated it to the martyr Clement.[161] When looking at S. Clemente, the obvious heterogeneity of the building materials that have been used is striking. Columns with shafts in various different colours have been used; all originating from various different Antique buildings and locations. Apart from the differences in colour, the shafts also have different finishes. There are columns with smooth shafts, with spiral shafts and also shafts with vertical grooves. Even the material is heterogeneous – most of the column shafts are made of marble; however there are also some present that are made of granite. [162] Composition-wise; the shafts seem to have been paired. The two pieces that are similar; although not necessarily identical, stand next to each other along the same colonnade; instead of having been paired across the nave. The few capitals that are still visible are either Composite or Corinthian.[163]



Fig. 13. Two columns of different types of coloured marble; S. Clemente.

S. Clemente does not match the law of the Theodosian Code that was passed in 376; which forbade the use of building materials from older buildings in the construction of a new building – which is exactly what was done in this church. However, it was built at a time when the state subsidies for the building of new structures had started to diminish; as we have seen in the *Codex Theodosianus.* This could perhaps explain why so many different types of materials were used in the construction of the church; possibly more different types than any of the other case-studies in this chapter. It could also be an expression of the aesthetic of *variatio;* although the exact reason remains unclear.

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[161] H. Brandenburg, *Ancient Churches* (2005) 143-144; and R. Krautheimer, *Corpus*, Vol. I (1937-1977) 118-136. S. Clemente had been built partly by transforming a 3rd century house, which, in turn, had been built on top of a first-century construction. In the beginning of the twelfth century, a new church was built on top of it; but the old church can still be visited today, thanks to the excavations of the nineteenth century.

[162] R. Krautheimer, *Corpus Basilicarum Christianarum Romae: The Early Christian Basilicas of Rome (IV-IX cent.),* Vol. I (Vatican City 1937-1977) 118-136; and M. F. Hansen, *The eloquence of appropriation* (2003) 58.

[163] M. F. Hansen, *The eloquence of appropriation* (2003) 58.

3.6 S. Paolo fuori le mura (386-403)

The church of S. Paolo fuori le mura was built between 386-403, under the emperors Valentinian II, Theodosius and Arcadius, and completed under Honorius I. It replaced an older, smaller basilica over the tomb of the apostle Paul on the Via Ostiense.[164] Up until the reconstruction of St. Peter's in the sixteenth century, S. Paolo was the largest Christian building ever erected in Rome.[165] It is the last great example of a church construction of such great dimensions using building elements that were produced specifically for this building.[166] This means that it was constructed *without* the use of *spolia* elements, which might make you wonder why it is included in this chapter. Considering the Constantinian use of older pieces and their arrangement, using different architectural orders, served as models for the capitals that were newly produced for this church; it is an interesting case-study to include for comparison.[167] Although the original church burned down and was rebuilt in the 19th century, there is plenty of literature documenting the original structure, and fragments of the building elements are still visible in the 'archaeological walkway' next to the present-day church.[168]



Fig. 14. Fragment of a Ionic capital; preserved in the 'archaeological walkway' next to the present-day church of S. Paolo f.l.m.



Fig. 15. Fragment of a Composite capital, also preserved in the 'archaeological walkway'.

Ionic capitals were created for the triumphal arch of S. Paolo fuori le mura. They were juxtaposed with the Corinthian and composite capitals of the nave.[169] All of these pieces were paired across the nave. Although they were contemporary and not *spolia* pieces, we can see how the aesthetic of eclecticism and *variatio* ruled nevertheless, as can be seen in the use of different architectural orders. This could

[164] H. Brandenburg, *Ancient Churches* (2005) 114.
[165] D. Kinney, 'Edilizia di culto Cristiano' (2010) 54.
[166] M. F. Hansen, *The eloquence of appropriation* (2003) 58; and H. Brandenburg, 'The Use of Older Elements' (2011) 62.
[167] H. Brandenburg, 'The Use of Older Elements' (2011), 63.
[168] R. Krautheimer, *Corpus*, Vol. V (1937-1977) 93-164.
[169] J. J. Herrmann, *The Ionic Capital* (1988) 169.

perhaps emulate the eclecticism that was often created by the use of *spolia* pieces in churches of the same and later times.

Considering the basilica was built under imperial instructions, the fact that state subsidies for public buildings had been largely withdrawn during the time of its construction would not have posed an issue. It would seem that only the emperor(s) would have been able to afford the construction of a church this monumental, that was built solely with newly produced materials. This does mean, however, that the building of this church must have been considered to be of great importance. After the emperors had prohibited the pagan cults around the same time; the building of S. Paolo might have been a way to solidify this statement, as well as the status of Christianity. The political attention had shifted towards Christianity, and the veneration of St. Paul, the apostle, reached new heights.[170]

3.7 S. Sabina (425-432) and S. Pietro in Vincoli (432-440)

The basilica of S. Sabina was built under Pope Celestine I, between 425-432 on the Aventine hill, by the presbyter Peter. It has a homogeneous décor, with 24 fluted columns of proconnesian marble with matching Corinthian capitals of the later second century.[171] Interestingly, this homogeneity was contrasted by combining these columns with arches, instead of a trabeation. It would seem that such a high-quality homogeneous set must have come from a recently torn down building.[172] This would have been a nearby building; possibly the Temple of Juno Regina, which stood on the Aventine and was destroyed by the Goths in 410.[173] There are, however, also modern scholars who claim these pieces must have come from a warehouse.[174] Four other columns



Fig. 16. Homogeneous, Corinthian *spolia* columns in S. Sabina; left colonnade.

[170] H. Brandenburg, *Ancient Churches* (2005) 114.
[171] M. F. Hansen, *The eloquence of appropriation* (2003) 64; and H. Brandenburg, *Ancient Churches* (2005) 167-169.
[172] D. Kinney, 'Edilizia di culto Cristiano' (2010) 70.
[173] B. Brenk, 'Spolia from Constantine to Charlemagne' (1987) 106,
[174] H. Brandenburg, 'The Use of Older Elements' (2011) 64. Brandenburg claims the material originated from an imperial warehouse. The foot of one of the columns of the left colonnade was inscribed with the name *Rufenus*,

belonging to the same homogenous group were reused in S. Stefano Rotondo thirty years later.[175] The doorframe of the doorway from the narthex into the south aisle is composed of reused architrave blocks that had been up-ended. The reverse side of these same blocks still have elements of Doric decoration; and was presumably the front of the original entablature.[176]

Another fifth-century church that was constructed with a uniform set of columns is S. Pietro in Vincoli. It was built on the Esquiline hill between 438-455 by the presbyter Philip, under supervision of emperor Theodosius II.[177] It was built using a homogenous group of 20 fluted columns of Proconnesian marble with matching Doric capitals. Considering the rarity of the Doric order in Roman architecture, the material was probably taken from a nearby public building of the very early Empire.[178] A possible candidate for the origin of these materials is the Portico di Livia.[179] Just as is the case with S. Sabina, however, modern scholars have not been able to come to a consensus, and some of them believe these materials probably came from a marble depot.[180] The homogeneity of the Doric colonnade of S. Pietro in Vincoli is contrasted by the use of a pair Corinthian capitals to carry the triumphal arch, as well as the use of arches in general.[181]

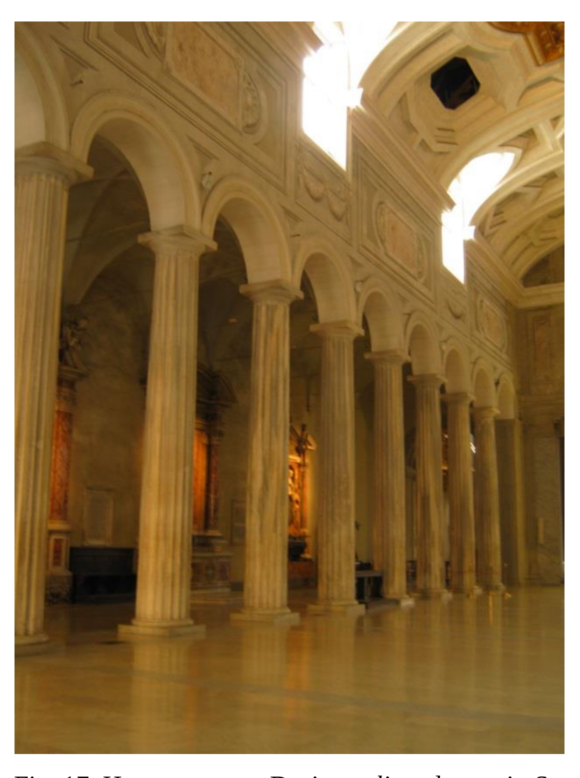


Fig. 17. Homogeneous, Doric *spolia* columns in S. Pietro in Vincoli; left colonnade.

When we look at church-building in the first half of the fifth century, the *spolia* used in these churches imply that after the Gothic invasion of 410, high-quality pieces from public buildings seem to have been suddenly available; possibly after having been damaged or abandoned during the sack of Rome.[182] This would explain the availability of such homogenous sets as those that were used in S. Sabina and S. Pietro in Vincoli. It would also explain the need for emperor Majorian's law of 458,

presumably the responsible official or merchant. He also states that if the elements had been taken from a dismantled temple or portico, they would have included an architrave, not an arcade.

175 H. Brandenburg, 'The Use of Older Elements' (2011) 64.

176 H. Brandenburg, *Ancient Churches* (2005) 189-193.

177 M. Webb, *The Churches and Catacombs* (2001) 75.

178 D. Kinney, 'Edilizia di culto Cristiano' (2010) 71.

179 P. Pensabene, 'Reimpiego dei marmi antichi nelle chiese altomedievali di Roma', in: G. Borghini, *Marmi Antichi* (Rome 1998) 57.

180 R. Krautheimer, *Corpus*, Vol. III (1937-1977) 178-230; and H. Brandenburg, *Ancient Churches* (2005) 189-193.

181 M. F. Hansen, *The eloquence of appropriation* (2003) 122.

182 D. Kinney, 'Edilizia di culto Cristiano' (2010) 69.

discussed in the previous chapter, in which the practice of spoliation is described as one the emperor had long detested. These churches were also built around the time that the *Codex Theodosianus* was compiled and published. If many buildings had become dilapidated after the sack of Rome, it would likely have caused an increase in the practice of spoliation. In that sense, these two churches possibly contributed to the need for such laws; although S. Pietro in Vincoli was built under imperial supervision.

3.8 S. Stefano Rotondo (468-483)

Whereas S. Sabina and S. Pietro in Vincoli present a homogeneous interior, the church of S. Stefano Rotondo on the Caelius was an entirely different case. The circular structure was built between 468-483, presumably with imperial support of either Valentinian III or Majorian.[183] The ornamental materials used is a mix of ancient *spolia* and contemporary pieces.[184] The outer ring is divided into groups of four or five columns, separated by piers. Second-century Corinthian capitals are used in front of the chapels on the main, east-west axis. Ionic capitals are used on the rest of the columns, which have shafts of varying widths. The carving of crosses on the impost blocks above the Corinthian capitals further reinforces the main axis.[185]

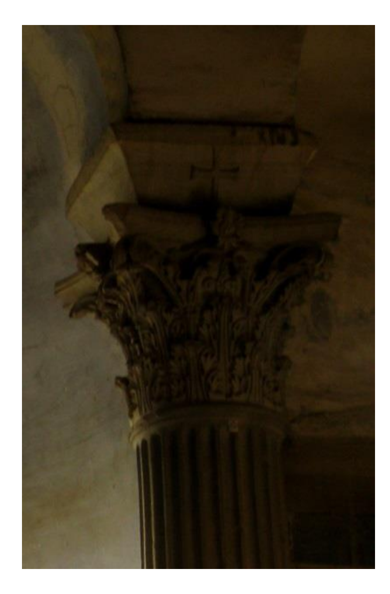


Fig. 18. Interior overview; S. Stefano Rotondo.

The mostly granite shafts are reused materials. The architrave blocks, as well as the Ionic capitals are contemporary.[186] Apparently the warehouse supplies were no longer sufficiently stocked with high-quality pieces from the high imperial era.[187] The capitals of the columns in the northern cross arm of the church belong to the same group of second-century Corinthian capitals as those of S. Sabina, which was built thirty years previously. They should therefore be considered to be warehouse

[183] H. Brandenburg, 'The Use of Older Elements' (2011) 65; and H. Brandenburg, *Ancient Churches* (2005) 204.
[184] D. Kinney, 'Edilizia di culto Cristiano' (2010) 79.
[185] J. J. Herrmann, *The Ionic Capital* (1988) 170.
[186] D. Kinney, 'Edilizia di culto Cristiano' (2010) 79.
[187] H. Brandenburg, 'The Use of Older Elements' (2011) 66.

material.[188] No *spolia* in the strict sense are found; meaning no pieces that were stripped from an older building to be used specifically in this church.[189]



Considering modern scholars seem to agree that S. Stefano Rotondo was built with warehouse material; it would not have conflicted with any of the laws discussed in the previous chapter. S. Stefano Rotondo was presumably built with imperial support; meaning that it had the emperor's seal of approval; which would also comply with Majorian's edict.

Fig. 19. Column with Corinthian capital belonging to the same group as those in S. Sabina. Note the cross carved into the impost block.

3.9 S. Lorenzo fuori le mura (579-590)

After the collapse of the Western Roman Empire, there was a lack of unity in the ecclesiastical architecture of Rome. The churches that were built in the sixth century were more open to non-Roman innovations; especially those of the Byzantine Empire. The church of S. Lorenzo fuori le mura, however, was decidedly Roman through its use of *spolia* from the imperial era. [190] It was built between 579-590 by pope Pelagius and is possibly our most interesting case-study. The columns, architraves and friezes are all *spolia* that came from buildings in the surrounding area. Although most of the columns are made of grey, *pavonazetto* marble, topped with second- of third-century capitals; the columns in the gallery above the entrance are of dark, black-and white Egyptian granite, topped with fifth-century capitals. The most interesting *spolia* pieces are the columns closest to the triumphal arch of the church. They have capitals that have been decorated with *trophaea*, the weaponry of defeated enemies. This means they have a stronger iconographical and ideological meaning; something which is rare for *spolia* pieces, also in later times.[191] The ideological significance of such capitals placed directly next to the tomb of St. Lawrence, as well as their position closest to the triumphal arch of the

[188] D. Kinney, 'Edilizia di culto Cristiano' (2010) 79; and H. Brandenburg, 'The Use of Older Elements' (2011) 65.
[189] H. Brandenburg, 'The Use of Older Elements' (2011), 66.
[190] D. Kinney, 'Edilizia di culto Cristiano' (2010) 82-83, 85.
[191] R. Krautheimer, *Corpus*, Vol. II (1937-1977) 52; and M. F. Hansen, *The eloquence of appropriation* (2003) 80-81.

church, would imply the idea of a Christian triumph, in which the martyrs and all Christians would participate.[192]

Both the placing of the columns and capitals, as well as the material constituting the trabeation is partly determined by the idea of pairing the elements. The three blocks on each side that are closest to the triumphal arch are all mutually distinct, but are paired across the nave nevertheless. The first three blocks on each side do not conform to this system; probably because the diversity of the material did not allow for it. That this was not relevant, also falls within the principle of placing the most ornate elements closest to the altar and triumphal arch of the church.[193]

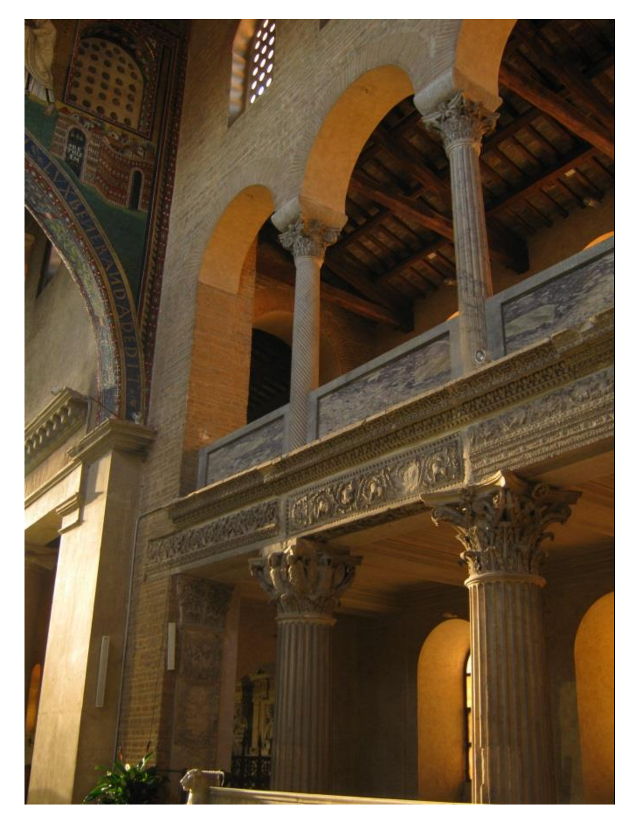


Fig. 20. S. Lorenzo f.l.m.; part of the north colonnade and gallery closest to the triumphal arch.



Fig. 21. *Spolia* column with *trophaea*.

S. Lorenzo f.l.m. was built more than a century after the law of emperor Majorian was passed; after the collapse of the Western Roman Empire; and not too long after the letters by Cassiodorus were written. This means it was built in a time when the attitudes towards spoliation were no longer as negative as they had been during the fourth and fifth centuries. We have seen this in the letters Cassiodorus wrote on behalf of Theodoric. There was enough distance between the antique objects and the viewers to make this positive attitude possible.[194] The sixth century is also the time of

[192] R. Coates-Stephens, 'Attitudes to *Spolia*' (2003) 349; and D. Kinney, 'Edilizia di culto Cristiano' (2010) 86.
[193] M. F. Hansen, *The eloquence of appropriation* (2003) 125-126
[194] P. Liverani, 'Reading *Spolia*' (2011) 35.

Justinian's Gothic wars; which ended before S. Lorenzo was built, and during which Rome was targeted by both sides. The chaos and damages done during these wars possibly also led to a greater amount of dilapidated buildings that could be stripped for *spolia* materials.

3.10 Development

When we look at the different case-studies, it is interesting to see that in the case of the non-church buildings there seems to have been a preference for homogeneity; or at least the appearance of homogeneity. With perhaps the exception of the Temple of Romulus, the *spolia* material was used in such a way that it appeared more or less unified; even if it was not. When we look at the church-buildings that have been discussed, the opposite seems to apply. A variety of materials was not always preferred, but was definitely used most often for the building of churches. If this could not be achieved using spolia pieces, contemporary material could be used to create the same effect, as we have seen in the case of S. Paolo fuori le mura. The matching of *spolia* pieces in pairs, however, seems to have become a popular way of structuring heterogeneous *spolia* material. In the churches in which homogeneous sets of columns were used, such as S. Sabina or S. Pietro in Vincoli, the homogeneity of the material was set off through the use of arches and/or different columns for the triumphal arch.

The Temple of Romulus and Mausoleum of Constantina were built at a time when the practice of spoliation was still in an early phase. It was not until later times, after these two buildings were built, that laws on spoliation had sprung up. The rest of the buildings discussed; both ecclesiastical and 'pagan', seem to match the picture that is sketched in the written sources: that of an increasing use of *spolia.* It must be noted, however, that generally these buildings do seem to have complied with the laws of their time; often due to imperial support.

Conclusion: an acceptance of *spolia.*

The use of *spolia* in early Christian churches stands at the end of a long development. While Constantine the Great may not have been the first to reuse architectural ornaments; his use of *spolia* in Rome's first basilica churches started a long-lasting tradition when it comes to church-building in Rome. Churches were not the only types of public buildings in which *spolia* were used during the fourth century. In later centuries, although it never became a practice that was reserved exclusively for church buildings; they did become the type of buildings in which *spolia* were most often used; considering they became the most important type of public buildings.

When we look at the practical use of *spolia* elements; it is not always easy to decide how it compared to the ideology of the time; especially considering in some cases it is unclear whether the reused material had been stripped off an older building, or whether it had come from one of the many marble warehouses and imperial depots – this would cause a huge difference in perception. It also makes it quite difficult to attach any kind of ideological motive to the reuse of materials. The attitudes towards reuse were varied; the practice of using *spolia* must have meant many things to many different people in Late Antiquity, and to some it might not have meant anything at all. Considering the official standpoint as issued by the state was generally a negative one, however, it is interesting to see that the use of *spolia* only seems to have increased throughout time. The fact that there are so many laws on the spoliation of buildings, as well as the fact that the laws seemed to become increasingly more lenient towards this practice seems to confirm that it was becoming rapidly more widespread, and that the state seems to have been unable, or unwilling to stop it.

Although there was as much ambiguity surrounding the use of *spolia* in the Late Antique world as there is today within the scientific debate; it is, however, possible to detect an overall development throughout time when looking at the written sources. Throughout the fourth and fifth century, the manner in which *spolia* were acquired seems to have been a stronger factor in how they were perceived than the way they looked or the fact that they were reused materials. While the fourth-century sources are generally negative on the reuse of materials; perhaps a remainder of the attitude that comes forward in Cicero's orations, this changes during the fifth century, when reuse becomes more universal and there is a gradual change in perception; although the negative image does not disappear completely. This seems to have culminated in the state-managed legalisation of spoliation that can be seen in the *Novellae Maioriani* of 458; which seems to have been more of a grudging acceptance of the practice than a legalisation by choice. By the end of the fifth and beginning of the sixth century, this develops even further. Antique elements are increasingly valued as such, for the beauty which they bestow upon the buildings in which they are reused. There is a shift from a negative to a positive attitude towards reuse. The turning point, after which there is a more positive attitude towards the reuse of antiquity, cannot be placed before the reign of Theodoric; although we could

argue that Augustine was perhaps an exception before that. Although the laws of the fourth and fifth centuries show a gradual, controlled acceptance of the practice; it still seems to have been more of an unwilling acceptance; a last attempt to gain some control over a practice that had become increasingly abundant. Starting with Theodoric, however, there seems to have been enough distance between the antique objects and the people viewing them, which is needed if there is to be a new relationship with the antique. Despite an increase in the practice of spoliation, however; the city's ornaments never seem to lose their value. This would appear to be the only constant in the ideologies surrounding the practice of spoliation.

The decline that had set in, especially from the fifth century onward, seems to have contributed to this practice and the development that can be seen in the written sources. Dilapidated buildings must have grown more and more abundant as Rome was sacked, first by the Goths in 410, and again by the Vandals in 455. The Gothic war, between emperor Justinian and the Ostrogoths; wreaked further havoc in the city of Rome. All of these things probably contributed to an environment in which the spoliation of buildings and the reuse of its materials would eventually become unavoidable and acceptable. A specific mental attitude must have been present in order for older decorative elements to be reused in newer buildings. However, one thing is certain: through the practice of reuse, Antiquity lives on.

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